

A Legal Handbook For Michigan Cyclists

By: **BRYAN WALDMAN**
Sinus Dramis Law Firm

A Practical Guide
For People Who
Rely on Bicycles
as a Form of
Recreation and
Transportation





A Legal Handbook For Michigan Cyclists

By **BRYAN WALDMAN**
Sinus Dramis Law Firm



**SINAS
DRAMIS
LAW FIRM**

Since 1951

www.bikelawmichigan.com

TABLE OF CONTENTS

INTRODUCTION	1
THE RULES OF THE ROAD FOR MICHIGAN CYCLISTS	2
Ride Reasonably Close to the Right Curb	2
Riding Two Abreast	4
Lights.....	4
Hand Signals.....	4
Brakes.....	4
Carrying Packages.....	4
Parking	4
Riding Bicycles on Sidewalks	5
Riding Double.....	5
Riding While Attached to a Vehicle	5
Limited Access Highway	5
Helmets and Cell Phones	6
Local Ordinances	6
INJURY AND PROPERTY CLAIMS FOR BICYCLE/ AUTOMOBILE COLLISIONS	7
Michigan No-Fault Personal Protection Insurance Benefits.....	7
Allowable Expenses	8
Wage Loss Benefits	8
Replacement Services.....	8
Survivor's Loss Benefits	9
Michigan No-Fault Property Protection Insurance Benefits	9
Automobile Liability Claims	10
Uninsured and Underinsured Motorist Claims	12
OTHER TYPES OF INJURY CLAIMS	13
Dangerous Highways, Streets, Sidewalks, and Bike Paths.....	13
Parking Lots.....	16
Defective Equipment	16
Promoters of Races and/or Organized Rides.....	17
Landowner Liability	17
Dogs and Other Animals.....	18
STOLEN AND DAMAGED BICYCLES.....	19
LIABILITY CLAIMS AGAINST CYCLISTS.....	19
BICYCLE SPECIFIC INSURANCE.....	19
CONCLUSION	20

INTRODUCTION

A growing number of people rely on bicycles as a form of recreation and transportation.

According to the League of American Bicyclists, the number of people who frequently commute by bicycle in the United States increased 39% from 2000 to 2010. During the same time period, the percentage of frequent bicycle commuters increased by 63% in the 70 largest cities in the United States. Further, a survey conducted by the U. S. Department of Transportation's National Highway Traffic Safety Administration and the Bureau of Transportation Statistics concluded that approximately 66% of cyclists primarily use public roads while riding, as opposed to bike paths, trails, or sidewalks. Accordingly, it is important that all people who use public roads understand the laws that apply to cyclists. This handbook summarizes and attempts to clarify the laws that most often apply to Michigan cyclists.



THE RULES OF THE ROAD FOR MICHIGAN CYCLISTS

Most of the laws that apply to the operation of bicycles on Michigan roads, sidewalks, and pathways are contained in the Michigan Vehicle Code. However, local ordinances also regulate the use of bicycles. This handbook will focus on the Michigan Vehicle Code, since it applies throughout the State and has been adopted by most municipalities.

A violation of a provision of the Michigan Vehicle Code is a civil infraction, which is a non-criminal violation of law which typically results in punishment in the form of a fine.

The Michigan Vehicle Code defines a bicycle as “*a device propelled by human power upon which a person may ride, having either 2 or 3 wheels in a tandem or tricycle arrangement, all of which are over 14 inches in diameter.*” A vehicle is defined as “*every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices exclusively moved by human power or used exclusively upon stationary rails or tracks.*” Accordingly, a bicycle is not considered a “*vehicle*” under Michigan law.

First and foremost, it must be understood that **cyclists have an absolute right to use public roads**. The Michigan Vehicle Code clearly states that each person riding a bicycle upon a roadway has all the rights and is subject to all the duties applicable to the driver of a motor vehicle. (MCL 257.657) However, when using the roads, a cyclist is also required to follow certain laws intended to ensure that cyclists use reasonable caution and safe cycling practices. These laws include the following provisions:

RIDE REASONABLY CLOSE TO THE RIGHT CURB

If riding below the posted speed limit, a cyclist is required to ride as close as practicable to the right hand curb or edge of the road. (MCL 257.660a) However, this statute recognizes five exceptions or situations where a cyclist need not ride as close to the right hand curb or edge of the road as practicable:

- When passing another bicycle or a vehicle proceeding in the same direction.
- When preparing to turn left.
- When conditions make the right hand edge of the roadway unsafe or unusable for bicycle users, including, but not limited to:



- Surface hazards (i.e., ruts in the pavement or potholes);
 - An uneven roadway surface;
 - Drain openings;
 - Debris;
 - Parked or moving vehicles or bicycles;
 - Pedestrians;
 - Animals;
 - Other obstacles; or
 - The lane is too narrow to permit a vehicle to safely overtake and pass a bicycle.
- When operating a bicycle in a lane in which traffic is turning right, but the cyclist intends to proceed straight through the intersection; and
 - When riding on a one-way highway or street that has two or more lanes. In this situation, the cyclist may also ride as close to the left curb or edge of the roadway as practicable.

RIDING TWO ABREAST

Cyclists must not ride more than two bicycles abreast. (MCL 257.660b)

LIGHTS

If riding one-half hour after sunset, or one-half hour before sunrise, a cyclist must use lights. The law requires that a light system for bicycles must, at a minimum, include a white light which is visible from 500 feet to the front and a red reflector on the rear which is visible from all distances from 100 feet to 600 feet when directly in front of lawful low beam headlights. A lamp emitting a red light visible from a distance of 500 feet may be used in addition to the red reflector. [MCL 257.662(1)]

HAND SIGNALS

A cyclist is required to signal:

- A left turn by extending his/her left hand and arm horizontally.
- A right turn by extending his/her left hand and arm upward, or by extending his/her right hand and arm horizontally.
- A stop or decrease in speed by extending his/her hand and arm downward. (MCL 257.648)

BRAKES

A bicycle must be equipped with a brake which enables the operator to make the braked wheels skid on dry, level, clean pavement. [MCL 257.662(2)]

CARRYING PACKAGES

A cyclist may not carry any package that prevents him/her from keeping both hands on the handlebars. (MCL 257.661)

PARKING

A bicycle may be parked on a sidewalk, except in places where it is prohibited by an official traffic control device. However, a bicycle may not be parked on a sidewalk in a manner that impedes the lawful movement of pedestrians or other traffic. Likewise, a bicycle may be parked on a highway or street in any location where parking is allowed

for motor vehicles, may park at any angle to the curb or edge of the highway, and may park abreast of another bicycle. However, a bicycle may not be parked on a highway or street in a manner that obstructs the movement of a legally parked motor vehicle. Further, local ordinances may limit the location and manner of bicycle parking. (MCL 257.660d)

RIDING BICYCLES ON SIDEWALKS

Bicycles may be ridden upon a sidewalk, but cyclists must yield the right-of-way to pedestrians and are required to give an audible signal before overtaking and passing a pedestrian. Further, official traffic control devices or local ordinances may restrict bicycles on sidewalks in some areas. Additionally, a cyclist lawfully operating a bicycle upon a sidewalk or a pedestrian crosswalk has all of the rights and responsibilities applicable to pedestrians using that sidewalk or crosswalk. (MCL 257.660c)

RIDING DOUBLE

A bicycle may not be used to carry more people than the bicycle is designed and equipped to carry. (MCL 257.658) In other words, riding “double” is prohibited.

RIDING WHILE ATTACHED TO A VEHICLE

A cyclist may not attach himself/herself or his/her bicycle to a street car or a vehicle upon a roadway. (MCL 257.659)

LIMITED ACCESS HIGHWAY

A cyclist may not ride on a limited access highway. A limited access highway is defined as “every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only, and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.” (MCL 257.26)



HELMETS AND CELL PHONES

There is no law that requires Michigan cyclists to wear helmets or prevents them from talking on cell phones while riding. However, it is obviously safe practice to wear a helmet and avoid cell phone use while riding a bicycle.

LOCAL ORDINANCES

As mentioned earlier, the laws that apply to cyclists are contained in the Michigan Vehicle Code and local ordinances. The Michigan Vehicle Code specifically states that local authorities may regulate the operation of bicycles. However, an ordinance or regulation enacted by a local authority shall not be enforceable unless signs that give notice of the local traffic regulations are posted upon or at the entrance to the highway, street, or area affected. [MCL 257.606]

INJURY AND PROPERTY CLAIMS FOR BICYCLE/ AUTOMOBILE COLLISIONS

When a bicycle/automobile collision occurs in the State of Michigan, the cyclist may be entitled to bring four potential claims. These claims are summarized below.

Michigan No-Fault Personal Protection Insurance Benefits

The Michigan No-Fault Act provides for the payment of personal protection insurance benefits (commonly referred to as “PIP” benefits) to all people injured in a motor vehicle accident, regardless of who was at fault. [MCL 500.3105(2)] A bicycle is not considered a “motor vehicle” and for this reason, an injured cyclist will not be entitled to PIP benefits, unless the injury arises from the operation or use of a motor vehicle. It is important to note that actual physical contact between a bicycle and a motor vehicle is not required, provided that the operation of the motor



vehicle was a significant factor in causing an injury to the cyclist. If a cyclist sustains an injury as a result of a collision with another cyclist, a road defect, or simply losing control of his/her bicycle, the cyclist is not entitled to recover PIP benefits under the Michigan No-Fault Act.

Since a large percentage of cycling injuries, and particularly the most serious injuries, are caused by motor vehicle/bicycle collisions, it is important to understand some basic concepts of the Michigan No-Fault Act.

There are four basic types of PIP benefits available under the Michigan No-Fault Act:

ALLOWABLE EXPENSES

An injured person is entitled to recover “*allowable expenses*” consisting of “*all reasonable charges incurred for reasonably necessary products, services, and accommodations for an injured person’s care, recovery, or rehabilitation.*” [MCL 500.3107(1)(a)] Additionally, these benefits are payable for life and are payable without regard to any type of “*cap*” or “*ceiling*.” These benefits include medical expenses, in-home attendant care or nursing services, handicap-accessible accommodations, room and board expenses, rehabilitation expenses, special or handicap-accessible transportation, mileage to and from healthcare appointments, and guardian expenses.

WAGE LOSS BENEFITS

When a person is injured in an automobile accident and cannot work as a result of their injuries, they are entitled to receive wage loss benefits, which are calculated at a rate of 85% of the injured person’s gross pay for up to three years. [MCL 500.3107(1)(b)] Additionally, under the statute, work loss benefits cannot exceed a monthly maximum, which is adjusted in October of each year to keep pace with the cost of living.

REPLACEMENT SERVICES

An injured person may receive benefits as a result of having other people perform domestic-type services that the injured person would have performed, if not for their injuries. However, reimbursement for these services cannot exceed \$20.00 per day, and these benefits are only available for up to three years following the accident. [MCL 500.3107(1)(c)] Typical examples of replacement services include cleaning, laundry, cutting grass, and shoveling snow.

SURVIVOR'S LOSS BENEFITS

When a motor vehicle accident results in death, dependents of the decedent are entitled to recover survivor's loss benefits (MCL 500.3108) and funeral and burial expenses. [MCL 500.3107(1)(a)] Survivor's loss benefits are payable for three years and are comprised of several components, which include after-tax income, lost fringe benefits, and replacement service expenses. Additionally, survivor's loss benefits are subject to the same statutory monthly maximum applicable to work loss benefits.

Michigan No-Fault Property Protection Insurance Benefits

Michigan's No-Fault Act also provides for something called "*property protection insurance*," which is commonly known as "*PPI coverage*." The law requires that when there is "*damage to tangible property arising out of the ownership, operation, maintenance, or use of a motor vehicle, as a motor vehicle*," the no-fault insurance carrier is responsible for paying PPI benefits. [MCL 500.3121(1)]

Under the law, an insurance carrier is required to pay reasonable repair costs or replacement costs, less depreciation, whichever is less. Additionally, if applicable, the insurer is obligated to pay the value of loss of use. [MCL 500.3121(5)]

Vehicles and their contents, including trailers, are excluded from PPI benefit claims. [MCL 500.3123] Accordingly, when a cyclist is hit by a car, damage to his/her bicycle, helmet, clothing, lights, computer, and other equipment is covered and eligible for repair or replacement costs by the appropriate PPI insurer. If a bicycle is damaged when it is being transported in (or on) a motor vehicle, it is specifically excluded from a PPI benefit claim. However, the owner of the bicycle may still be able to make a claim for property damage under his/her homeowner's or renter's insurance policy.

Like no-fault PIP benefits, PPI benefits are available regardless of who was at-fault for the collision. Additionally, the law does not require physical contact between the bicycle (or bicyclist) and the motor vehicle. Rather, the law only requires that the operation, maintenance, or use of the motor vehicle be a contributing factor to the collision.

PPI benefits are owed by the automobile insurance company for the owner of the vehicle involved in the collision. If the owner does not have insurance, the insurance carrier for the driver of the vehicle is obligated to pay PPI benefits. If the owner and driver of the vehicle involved in the collision are not insured, there will be no automobile insurance company responsible for paying PPI benefits. However, a cyclist still may be able to receive reimbursement for property damage through his/her homeowner's or renter's insurance policy.

AUTOMOBILE LIABILITY CLAIMS

In addition to having the right to Michigan no-fault PIP benefits, a cyclist who is injured as a result of an incident involving a motor vehicle may also be entitled to bring a liability claim against the driver at-fault for the injury. The compensation recoverable in liability claims against negligent motorists includes damages for "*noneconomic loss*" and "*excess economic loss*."





In order to successfully pursue a liability claim, an injured cyclist must first prove that the driver of the motor vehicle was at-fault for the incident. The legal word for fault is “*negligence*,” which simply means that the motorist failed to act as a reasonably careful person would act under the same or similar circumstances. Violations of the Michigan Vehicle Code, including speeding, failing to yield, and improper lane usage, are all evidence of negligence. If both the injured cyclist and the motorist were, in some way, negligent in causing the occurrence, the injured party may still recover damages, but the amount of those damages will be reduced by the percentage of the injured party’s fault. This concept is referred to as the “*rule of comparative negligence*.” If an injured person’s comparative negligence is greater than 50%, they may not receive noneconomic damages. [MCL 500.3135(2)(b)] Accordingly, if a cyclist fails to follow the laws outlined under “*The Rules of the Road for Michigan Cyclists*,” he/she will not necessarily be barred from bringing a liability claim. Rather, a violation of the rules of the road or the Michigan Vehicle Code by cyclists is simply evidence of comparative negligence.

Excess noneconomic damages consist of those past, present, and future out-of-pocket expenses that are not compensable as no-fault benefits.

Noneconomic damages consist of those losses that affect a person's quality of life, such as pain and suffering, incapacity, disability, loss of function, diminished social pleasure and enjoyment, scarring and disfigurement, and emotional distress. However, to recover noneconomic damages, it is not enough to prove that a motorist's negligence caused a cyclist to be injured. In addition, the cyclist must establish that he/she sustained a "*threshold injury*." Under Michigan law, a threshold injury consists of one or more of the following: (1) serious impairment of body function; (2) permanent serious disfigurement; or (3) death.

Serious impairment of body function is defined as "*an objectively manifested impairment of an important body function that affects the injured person's ability to lead his or her normal life.*" Whether an injury constitutes serious impairment of body function or permanent serious disfigurement is dependent upon the facts and circumstances of each individual case.

UNINSURED AND UNDERINSURED MOTORIST CLAIMS

Uninsured motorist and underinsured motorist coverages are optional insurance coverages that may be purchased as part of an automobile insurance policy. **It is highly recommended that cyclists purchase these important insurance coverages.**

Michigan law requires all vehicles operated on roads and highways to be insured. Yet, statistics indicate that as many as 20% of Michigan drivers are uninsured. If an uninsured driver causes a collision resulting in an injury, uninsured motorist coverage allows the injured person to assert a claim against his/her auto insurance company, who will then stand in the shoes of the uninsured driver. This allows the injured person to recover noneconomic damages and excess economic damages up to the amount of uninsured motorist coverage in the same manner they would have if the at-fault driver had been insured.

Underinsured motorist coverage is similar to uninsured motorist coverage. In Michigan, drivers are only required to carry \$20,000.00 worth of insurance coverage to compensate someone injured or killed as a result of their negligence. Underinsured motorist coverage allows a person injured in a collision to bring a claim against his/her own insurance company for all damages above and beyond those covered by the negligent driver's insurance coverage, up to the amount of underinsured motorist coverage purchased.

OTHER TYPES OF INJURY CLAIMS

In addition to an automobile liability claim, a cyclist who is injured due to the negligence of others may be entitled to bring other types of liability claims, which are discussed below.

DANGEROUS HIGHWAYS, STREETS, SIDEWALKS, AND BIKE PATHS

As a general rule, when a person is injured due to the negligent, wrongful, or unlawful conduct of a government entity or one of its employees, the law prevents a lawsuit which attempts to hold the government entity accountable for the injury. This concept is typically known as “sovereign immunity” or “governmental immunity,” and is contained in the Government Tort Liability Act, MCL 691.1401, *et seq.* However, the Government Tort Liability Act contains three exceptions to governmental immunity, which include: (1) claims for defective highways; (2) defective public buildings; and (3) negligently driven government motor vehicles. Accordingly, if a cyclist is injured due to a government agency’s failure to adequately maintain a roadway or sidewalk, they may have a cause of action, provided the facts and circumstances of their injury fit within the highway exception to Michigan’s Governmental Immunity Act.

The Government Tort Liability Act’s highway exception describes the duty of government agencies to maintain roadways as follows:

Each governmental agency having jurisdiction over a highway shall maintain the highway in reasonable repair so that it is reasonably safe and convenient for public travel. (MCL 694.1402)

The law allows bicyclists (as well as motorists and pedestrians) to bring a lawsuit if they are injured due to the government agency’s failure to repair and maintain the roadway. However, the law limits the state and county’s duty to maintain the highway to “the improved portion of the highway designed for vehicular travel and does not include sidewalks, trail ways, crosswalks, or any other installation outside of the approved portion of the highway designed for vehicular travel.” In other words, a cyclist may be entitled to compensation from a county or the State for its failure to maintain the surface of a roadway if he/she is riding in a lane that is also available for motor vehicle travel.



However, if the same cyclist is traveling on a bike path or shoulder adjoining a highway which is not in reasonable repair, the law does not allow him/her to be compensated by the State or a county government. Additionally, the Government Tort Liability Act does not impose a duty on the State and county road commissions for a defective or dangerous design, negligence due to the posting of signs, or negligent maintenance of traffic control devices. Rather, liability only extends to a failure to maintain the roadway surface designed for vehicular travel.

In order to succeed against a governmental agency for injuries or damages caused by defective highways, it is also necessary to establish that the governmental agency knew, or in the exercise of reasonable diligence should have known, of the existence of the defect and had reasonable time to repair the defect before the injury took place. (MCL 691.1403)

Municipalities have a duty to maintain a sidewalk installed adjacent to a municipal, county, or state highway in reasonable repair. However, in order to successfully maintain a cause of action against a municipality for

its failure to maintain a sidewalk, it is necessary to establish that the municipality knew of the defect in the sidewalk, or in the exercise of reasonable diligence should have known about the existence of the defect in the sidewalk, at least 30 days before the incident or injury occurred. Further, the defect must be “(1) a vertical discontinuity defect of 2 inches or more in the sidewalk and/or (2) a dangerous condition in the sidewalk itself of a particular character rather than solely a vertical discontinuity.” (MCL 691.1402a)

Finally, an injured person must serve notice on the governmental agency of the exact location and nature of the defect, the injury sustained, and the names of any known witnesses to the occurrence within 120 days from the time the injury occurred. This notice requirement can be more complicated than it appears and if done incorrectly, can result in an individual not being able to pursue a claim against a governmental agency. The notice may be served upon any individual, either personally or by certified mail, return receipt requested, who may be lawfully



served with civil process directly against the governmental agency. In the case of the State, the notice shall be filed in triplicate with the Clerk of the Court of Claims. Different deadlines may apply to the notice provisions and time limitations for minors and individuals deemed physically disabled or incapable of giving notice.

PARKING LOTS

When a cyclist is injured as the result of a defective or dangerous condition that is part of a private parking lot, he/she may have a claim against the possessor of the property/parking lot. This type of claim is typically referred to as a negligence or premises liability claim. In order to successfully pursue a premises liability claim, an injured person must establish that: (1) the property owner owed the injured person a legal duty; (2) the property owner was negligent and/or breached his/her duty; (3) the injury caused the injured person to suffer damages; and (4) the property owner's negligence was a proximate cause of the person's injuries.

Michigan courts have adopted a legal doctrine typically known as the "*open and obvious defense*," which plays a major role in most premises liability claims. Essentially, this legal doctrine states that if a dangerous or defective condition is so open and obvious that a reasonable person would take care to avoid it, the possessor of the property does not owe a duty of reasonable care to the injured party, and the injured party is barred from bringing a claim for his/her injuries.

DEFECTIVE EQUIPMENT

If an injury is caused by a defective bicycle or product, the injured person may be entitled to recover under a legal theory referred to as "*product liability*." Typically, product liability claims allege that a product was negligently manufactured or designed. Product liability claims may also be brought under a theory that the manufacturer or seller of a product breached an express or implied warranty. An express warranty is a representation or statement made by a manufacturer or seller that the product has certain characteristics or will meet certain standards. An implied warranty is a duty imposed by law which requires the manufacturer's product to be reasonably fit for the purposes and uses for which it is intended, or uses which are reasonably foreseeable, by the manufacturer.

PROMOTERS OF RACES AND/OR ORGANIZED RIDES

Claims alleging an injury due to the negligence or wrongful conduct of the promoter of a race or organized ride are extremely difficult under Michigan law. Almost all races and organized rides require a signed release as a condition of participation in the event. Michigan courts have consistently held that a release is enforceable and a complete defense for damages caused by ordinary negligence. However, courts have held that claims may be pursued, even when a release is signed, if the injury is caused by gross negligence or willful and wanton misconduct, or when the injury arises from an unreasonably dangerous condition that is not associated with a risk inherent in the sport.

Pursuant to MCL 700.5109, a parent or guardian of a minor may release a person from liability for personal injury sustained by the minor during a specific recreational activity.

Additionally, a participant in a race or organized ride may be injured due to the wrongful conduct of another racer or participant. However, Michigan courts recognize that participants in these types of activities assume certain risks when they agree to participate in sports or recreational activities. Accordingly, in order to succeed in a claim against another participant in a sporting event, it must be established that the wrongdoer acted recklessly. Mere negligence on the part of the wrongdoer is not enough to establish a successful claim.

LANDOWNER LIABILITY

Landowners and those that possess land can be held liable for injuries caused by their negligence or wrongful conduct. However, the Michigan Recreational Land Act (MCL 324.73301) bars a claim for injuries to a person who is on the land of another without paying the owner, tenant, or lessee of the land a valuable consideration for the purpose of any outdoor recreational use or trail use, with or without permission, unless the injuries were caused by gross negligence or willful or wanton misconduct of the owner, tenant, or lessee.



DOGS AND OTHER ANIMALS

If a cyclist is injured as the result of a domestic or farm animal, he/she may have a claim against the animal's owner. Dogs are the animals most likely to injure a cyclist. In Michigan, a dog owner is strictly liable for damages caused to a person bitten by his/her dog. (MCL 287.351) The only exceptions to this rule are if the injured person provoked the dog or was trespassing at the time of the bite. A landlord may also be held liable for injuries caused by a bite inflicted by a tenant's dog, if the landlord is aware of the dog's vicious nature.

STOLEN AND DAMAGED BICYCLES

Earlier in this handbook, property damage claims due to automobile/bicycle collisions were discussed. However, collisions involving automobiles are not the only way that cyclists suffer property damage. For example, it is common for cyclists to forget there is a bicycle on their roof rack before attempting to pull into a garage. Unfortunately, bicycles are also frequently stolen. Stolen or damaged bicycles are usually covered under a homeowner's insurance policy, or a renter's insurance policy. However, expensive bicycles may require a "*rider*" and/or additional insurance coverage.

LIABILITY CLAIMS AGAINST CYCLISTS

When a cyclist is negligent in his/her operation of a bicycle and causes an injury or property damage to a motorist, pedestrian, property owner, or another cyclist, he/she may be liable for the harm caused by his/her negligence. Typically, homeowners insurance or renters insurance policies provide coverage for claims like these, which are made against cyclists. This coverage also typically includes the cost of an attorney and other expenses associated with the defense of the claim.

BICYCLE SPECIFIC INSURANCE

Bicycle specific insurance allows certain types of coverages for cyclists that would not otherwise be available. For example, it allows cyclists who do not own an automobile to purchase uninsured and underinsured motorist coverage. Other coverages available include coverage for liability, bicycle theft and damage, medical payments, and trip interruption. Bicycle specific insurance can be extremely valuable for some cyclists. However, most of the coverages available through bicycle specific insurance policies may already be available or purchased through other insurance policies, such as homeowner's insurance, renter's insurance, and automobile insurance policies. For this reason, the value of bicycle specific insurance will be dependent upon each individual cyclist's unique situation.



CONCLUSION

There are numerous laws that may apply to a bicyclist. These laws and the manner in which they are applied to a given factual scenario can often be complicated and require a thoughtful and thorough legal analysis. If you, a family member, or a friend are in need of legal representation, or simply have a question, please contact the author or one of the other attorneys at the Sinas Dramis Law Firm. Additionally, please visit the law firm's website and blog devoted to bicycling at www.bikelawmichigan.com for updates and developments on laws and legislation which may affect the rights of bicyclists.

ABOUT THE AUTHOR

Bryan Waldman



Bryan Waldman is a partner at the Sinas Dramis Law Firm. He has been a trial lawyer for over 20 years, has litigated cases in over 40 jurisdictions, and has been listed in multiple legal publications, including *“The Best Lawyers in America”* and *“Michigan Super Lawyers”* in the field of personal injury litigation. The National Trial Lawyers Association has recognized him as one of *“The Top 100 Trial Lawyers.”* In 2003-2004, Bryan served as the President of the Michigan Trial Lawyers Association (currently Michigan Association for Justice), and in 2008 and 2009 he served as Chair of the Michigan Civil Service Commission.



Bryan has been an avid cyclist for over 20 years. He is a member of Bike Law, a national network of attorneys dedicated to serving cyclists around the country. He is also a member of the League of Michigan Bicyclists, League of American Bicyclists, and USA Cycling. In 2013, Bryan received the Bicycle Advocate of the Year Award from the League of Michigan Bicyclists. Bryan competes in road races, criteriums, cyclocross races, mountain bike races, and enjoys a variety of outdoor sports. In addition to racing bikes, he often commutes to work by bicycle and uses his cargo bike to shop and run errands. However, his most cherished moments on a bicycle are those spent with family and friends.

ABOUT THE FIRM

Sinas Dramis Law Firm

The Sinas Dramis Law Firm was established in 1951 and is best known for representing plaintiffs in matters dealing with serious personal injury and wrongful death. Five of the firm's attorneys have been recognized by the publication "*The Best Lawyers in America*" in the field of plaintiff's personal injury litigation. Another member of the firm has been recognized in the same publication in the field of family law. Three members of the firm have served as President of the Michigan Trial Lawyers Association (currently the Michigan Association for Justice) and two members of the firm have served as Chairperson of the State Bar Negligence Law Section.

The Sinas Dramis Law Firm frequently represents cyclists and runners and has a deep commitment to the safety of outdoor athletes. The firm is a title sponsor of the CFT-Sinas Dramis Law Cycling Team, and regularly sponsors cycling and running events, including races and organized rides. Additionally, each year the firm co-sponsors events commonly known as "*Heads-Up for Safety*" and "*Lids for Kids*," which give bicycle helmets to children and ensure that they are properly fitted. Since 2003, the events have resulted in over 6,000 children being given and fitted with bicycle helmets.

Members of the firm frequently participate in bicycle races, bicycle tours, triathlons, duathlons, and distance running events.



The Sinas Dramis Law Firm is committed to helping people know the law and understand their rights.

The firm has created the following websites to provide information regarding specific areas of Michigan law:

www.sinasdramis.com – Michigan Personal Injury Law

www.autonofaultlaw.com – Michigan Automobile Law

www.sdmichiganfamilylaw.com – Michigan Family Law

www.bikelawmichigan.com – Michigan Bicycle Law





**SINAS
DRAMIS**
LAW FIRM

Since 1951



(866) 758-0031

www.bikelawmichigan.com

Copyright © 2015; by Bryan Waldman; All Rights Reserved