

Bicycle Crash: What You Need to Know in Pennsylvania About Bicycle Accident Law

Pennsylvania has some of the toughest laws regarding distances that cars must provide bikes when driving.

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Bicycle safety is paramount when traveling around cities and towns. As the roads become more congested, many more people are turning to bicycling rather than public transportation or the typical motor vehicle. Bike lanes are being created on new and old roads, and in some cases, existing roadways are being converted to dual-purpose roads. With all of these changes, traffic safety becomes vitally important.

Most bicyclists will tell you that car and truck motorists do not always respect the rights of the biker. Crash data shows that bicycle accidents are on the rise. Many of those cases end up with bicycle accident lawyers getting involved to protect the rights of the bicycle rider. It doesn't matter if you are in a motor vehicle or are behind the handlebars, the bicycle rider and the motorist must follow the same rules of the road.

Bicycle riders can tell you horror stories about car doors that have been flung open as they go by or how car drivers do not appear to know or understand rules of the road as they pertain to bicycles. Cars running stop signs have almost hit many a biker. Even simple missteps like these can cause serious injuries. Some motor vehicle drivers will leave the scene of bike accidents without sharing any contact information with their crash victims; some would call this a hit and run. With bicycles what may appear to be a simple misstep can cause severe injuries with deadly consequences.

In Pennsylvania, bicyclists are granted all of the same rights and duties that are applied to motor vehicle operators. Unfortunately, motorists fail to exercise the due care required of them. Some motor vehicle operators treat bicycling as if the bike rider were an obstacle or nuisance in their path. In some cases, this treatment can be a simple annoyance, and in other cases, this type of treatment can create dangerous or deadly situations.

The sad fact is that bicycle ridership in Greater Philadelphia, Harrisburg, Allentown and throughout Pennsylvania continues to rise and with that rise, it only stands to reason that bicycle



accident cases will continue to increase as well.

Pennsylvania Law Covers the Bicyclist and the Motorist

In 2012, then Pennsylvania Governor Tom Corbett signed HB 170 into law. Known as the safe passing law, HB 170 required motorists to stay at least four feet away from a bicyclist. The law also provided the following protections for the biker.

- * Cars must give bikes a minimum of 4-feet of clearance when driving at a "prudent reduced speed.
- * "Motorist turning their vehicles can not interfere with a bicycle that proceeding straight.
- * Bicyclists can operate at speeds that are reasonably safe and appropriate for bicycling.
- * Bicycles must be operated from the right-hand lane or as close as practicable to the right-hand edge of the roadway.

Pennsylvania laws for bicyclists are consolidated under Title 75 of the Pennsylvania Consolidated Statutes. Chapter 35, Section 3501 shows that bicyclists in Pennsylvania are "granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle." Unfortunately, as discussed earlier, some drivers of motor vehicles fail to exercise the due care required of them, and they treat bicyclists poorly. Many times this treatment of the biker ends up with a bicycle accident with serious injuries.

BICYCLE ACCIDENTS STATISTICS FOR PENNSYLVANIA

The State of Pennsylvania analyzes all motor vehicle crashes which includes bicyclists crashes, and the details are in the "2017 Pennsylvania Crash Facts & Statistics" which shows there were 1,141 total crashes that accounted for 1,121 injuries and 21 deaths. One may think that the majority of the casualties would have been at an intersection or stop signs, but that was not the case. Over 46% or 523 bicycle crashes occurred on roads that were at a stop sign or a traffic light. Looking at the 5-year trends of the bike crashes, the report shows that in 2017 the number of bike crashes declined yet the death rate climbed by over 28% from 2016's death toll of 16. Further, the report the majority of those that died, 8, were from the 45-54 age group. This group had considerably more bike crashes ending in death than the next highest group, which were children ages 10-14. The numbers reveal that kids from this age group were injured about 190 times in 2017.

Bicycle accidents involving cars had the most significant potential for injury to the bicyclist. In fact, these motor vehicles were involved in 55.8% of all fatal injury crashes in the state during 2017. In 2017 there were a total of 390 bicyclists were injured in bike crashes involving vehicles. While cars were the majority of vehicles involved in bike crashes, SUVs, vans, and light trucks were the second most prevalent type involved.

Pennsylvania's 2017 crash statistics show that 852 of the injured crash victims or 75.6% of all bike accidents injuries occurred during the daylight hours. Compare that with the 18.2% or 205 of injuries occurred when it was dark. Comparing the deaths rates shows that 52.4% of fatalities occurred during the day.

REPORT A [BIKE ACCIDENT](#) TO THE POLICE

A [bicycle crash](#) or a bicycle accident can be as complicated as a motor vehicle crash in the eyes of the law. In the greater Philadelphia area, Pennsylvania police agencies follow the laws of Pennsylvania; which treat bike accidents the same way they treat motor vehicle accidents. Bicyclists, whether they have serious injuries or no injuries, should always call the police and report bicycle crashes. Be smart and notify the police about any bike crash, having an official record of the event can help you should you decide to contact a bicycle accident lawyer.

Local police departments whether in Allentown, Philadelphia, West Hazelton or Harrisburg will not always write accident reports when a bicycle crash happens. As with any accident, including your bike crash it is wise to report the accident to the police and treat it as if it were a motor vehicle crash.

Keep in mind that police are not required to complete an accident report when there were no injuries, and both vehicles can leave the scene under their own power. Police in many jurisdictions may not want to treat a damaged bicycle as if it were a "vehicle," even though under Pennsylvania law a bike is treated as a motor vehicle. Towns like Philadelphia may not want to send an officer to an accident involving a bicycle even if there are injuries. No matter making a report of the accident is always a wise step even if no officer is sent to the scene.

IF YOU'RE IN A BIKE ACCIDENT AND POLICE WON'T REPORT YOUR ACCIDENT

If you are seriously injured, get yourself treated at the closest medical facility. An injury caused by a bike accident is grounds for an accident report. If the police don't show up at the scene of the bike crash, there are do's and don'ts that you should follow:

- * Do get medical treatment quickly.
- * Don't leave the scene of the accident until the police arrive if possible.
- * Do treat the accident or bike crash just as if you were driving a motor vehicle.
- * Do record the license number of any car or vehicle involved in the accident.
- * Do acquire contact information from all car drivers involved in the accident.
- * Do gather the names and contact information for any witnesses to the car accident.
- * Don't get upset if the police arrive but won't fill out a report.
- * Do get the badge number, officers name, and the police cars vehicle number
- * Do take all of the information to the local police station where you can obtain a PA Drivers Accident Report Form.
- * Do complete the form and submit it as the directions state.
- * Do contact a bicycle accident lawyer for help with the form or with questions about your bicycle accident case.

NEED HELP, HAVE QUESTIONS OR WANT TO KNOW YOUR RIGHTS? CALL OUR PENNSYLVANIA BICYCLE ACCIDENT LAWYERS.

Don't suffer alone. If you were injured in a bicycle accident or any motor vehicle accident in Pennsylvania, you might be entitled to be compensated for your injuries.

Contact an experienced bicycle accident lawyer. Your lawyer knows the legal system and can navigate it on your behalf. Working with an experienced bicycle accident lawyer and personal injury lawyer can help make you whole financially and medically by holding the person responsible for your injuries accountable.

When it comes to your health and well-being, do not settle for just any personal injury attorney. Our trial lawyers are determined to obtain the rightful monetary compensation or just settlement offer that our clients' deserve. For a free case evaluation, call our firm at 267-350-6600 now to speak with one of our trusted professionals directly, or fill out the form here <https://www.hgsklawyers.com/contact-us>.

Reference links:

People Powered Movement Org <https://www.peoplepoweredmovement.org/bicycle-accidents-in-the-united-states/>

2017 PennDOT Crash Data and Statistics

<https://www.penndot.gov/TravelInPA/Safety/Pages/Crash-Facts-and-Statistics.aspx>

Bicycle Safety and Pennsylvania Laws

<https://www.penndot.gov/TravelInPA/RideaBike/Pages/Bicycle-Safety-and-Pennsylvania-Laws.aspx>

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