

# How Louisiana Insurance Works in Bicycle vs. Car Collisions

## A New Orleans attorney fighting for the rights of injured cyclists

Cycling has become more popular than ever, whether it's for commuting, fitness, or just enjoying a weekend ride. Unfortunately, with more bicycles on the road comes an increased risk of [bike accidents](#) with cars. When they happen, cyclists often suffer the worst injuries.

The next challenge is figuring out how insurance coverage applies. Unlike two drivers in a typical fender bender, a bicycle and car crash can involve multiple overlapping policies, high medical bills, and insurance companies eager to shift blame. If you have been hit by a car while riding your bike, it's important to understand how insurance works, so you get the full compensation you're entitled to.

### Why are bicycle vs. car accidents different?

When two cars collide, insurance companies usually argue about property damage and repair costs. When a car hits a cyclist, the problems look very different.

Cyclists are considered vulnerable road users because they don't have the protection of a car's frame, airbags, or seat belts. That means injuries are often serious. Head and brain trauma, broken bones, spinal cord damage, and internal injuries are all common. These kinds of injuries can quickly exceed the limits of a basic auto insurance policy.

There is also a legal side to consider. Many states have passed vulnerable road user laws, which recognize that cyclists deserve extra protection on the road. Still, drivers, insurance adjusters, and sometimes even juries may not fully understand a cyclist's rights, which makes liability disputes more common.

### What insurance policies apply in bicycle vs. car accidents?

One of the most confusing parts of a bicycle and car collision is figuring out which insurance policies cover the losses. Several possibilities exist, depending on the circumstances:

- **Driver's auto insurance:** This includes bodily injury liability, which covers the cyclist's medical expenses, lost wages, and pain and suffering if the driver was at fault. Property damage liability pays for damage to the bike itself as well as items like a phone, helmet, or cycling gear.

- **Cyclist's own auto policy (if they have one):** Cyclists may have Medical Payments coverage (MedPay) on their auto policy, which can help with immediate medical bills. In many cases, uninsured/underinsured motorist (UM/UIM) coverage is the most important protection.
- **Cyclist's health insurance:** Health insurance usually pays hospital bills when auto insurance is insufficient. Keep in mind that health insurers in Louisiana often place liens on any settlement or verdict, which means they expect repayment for the costs they covered.
- **Homeowner's or renter's insurance:** This may cover property loss like a damaged bike, accessories, or clothing. Some policies exclude motorized bicycles, which can complicate e-bike claims.
- **Employer or workers' compensation coverage:** If the cyclist was injured while riding for work, such as a delivery driver, workers' comp or employer-provided insurance may apply.
- **Umbrella policies:** Some drivers and cyclists carry extra coverage beyond their standard auto or home policy, which can be helpful in severe injury cases.

### **How does health insurance and medical liens factor in?**

When auto insurance coverage is exhausted, a cyclist's health insurance usually becomes the next line of defense. Health insurance can help cover hospital stays, surgeries, follow-up appointments, prescription medications, and physical therapy.

In serious bicycle accidents, these benefits are often critical because Louisiana's minimum auto liability limits are so low compared to the cost of emergency and long-term medical care.

However, there is a major catch. In Louisiana, health insurance providers often place liens on personal injury settlements. That means if you receive compensation from the at-fault driver's insurance company or your own UM/UIM policy, your health insurer may demand reimbursement for the bills it already paid. These liens can significantly reduce the amount of money you actually take home.

Government and employer-based programs add another layer of difficulty. For example:

- Medicare and Medicaid liens in Louisiana are subject to strict federal repayment rules. If these liens are not properly satisfied, future benefits can even be jeopardized.
- ERISA health plans, which are employer-sponsored and federally regulated, tend to pursue repayment aggressively and often leave little room for negotiation.

- Private health insurance may also seek reimbursement, although Louisiana law sometimes gives attorneys leverage to reduce those repayment claims through negotiation.

### **How does property damage and bike replacement coverage work?**

For many cyclists, the bike itself is a major investment. Carbon-fiber road bikes, mountain bikes, and high-end e-bikes often cost anywhere from \$5,000 to \$15,000. Replacing one after a crash can be almost as stressful as dealing with medical bills.

Auto insurance property damage liability should cover the cost of repair or replacement, but insurance companies often undervalue bicycles, treating them like basic property rather than specialized equipment.

Homeowner's or renter's insurance may help, but these policies often exclude damage from motor vehicle accidents or require special scheduling for expensive bikes. E-bikes, in particular, may fall into a gray area because some policies classify them as motorized vehicles.

You can also get coverage for accessories. Helmets, cycling computers, shoes, and panniers can all add up to thousands in replacement costs. These too may be recoverable in an insurance claim.

### **What role does evidence play in getting coverage?**

Evidence is everything in bicycle and car accident claims. Without it, insurance adjusters may deny liability or argue the cyclist was at fault.

Key evidence includes:

- Police reports documenting the crash.
- Medical records showing the link between the accident and the injuries.
- Photos and video of the scene, vehicles, road conditions, and injuries.
- Witness statements to counter driver claims like "the cyclist came out of nowhere."
- GPS logs from Strava or Garmin showing riding path and speed.
- Phone records to prove a driver was texting at the time of the crash.
- Traffic and security camera footage.

### **Common challenges in bicycle vs. car insurance claims**

Insurance companies rarely make bicycle accident claims easy. Some of the most common roadblocks include:

- **Fault disputes:** Drivers often say they “didn’t see” the cyclist or argue the cyclist was in the wrong lane.
- **Policy limits:** Severe injuries quickly exhaust minimal coverage policies.
- **Comparative fault arguments:** Insurance companies may claim the cyclist was partly responsible, such as not using lights, riding outside a bike lane, or ignoring signals.
- **Delays:** Multiple insurance companies, including auto, health, and UM/UIM, may point fingers at each other, slowing down payment.
- **Medical disputes:** Insurance companies argue that treatments were unnecessary or unrelated to the crash.
- **Bias against cyclists:** Some jurors, adjusters, or even police assume cyclists are reckless, which can skew fault determinations.

### **What damages can I get in a bicycle accident?**

When insurance coverage applies, cyclists may be entitled to recover both economic and non-economic damages.

Economic damages typically include:

- Emergency room bills, surgeries, hospital stays
- Rehabilitation and long-term therapy
- Lost income and reduced earning capacity
- Property repair or replacement of the bike and gear

Non-economic damages include:

- Pain and suffering
- Emotional distress or PTSD
- Loss of enjoyment of life, especially if cycling was a passion that can no longer be pursued

### **Protect your rights after a bicycle accident in New Orleans**

If you were hit while riding your bike in New Orleans, the steps you take right after the crash have an impact on the course of your claim. Get medical attention right away, call the police so an official report is created, and gather as much evidence as you can, such as photos, witness names, and details from the driver involved. Even if your injuries

seem minor, the reality is that head trauma, fractures, or internal injuries can show up later, and having everything documented from the start can protect your health and your legal rights.

[The Law Offices of John S. Williams](#) has experience proving fault, holding negligent drivers accountable, and fighting back against unfair denials or lowball settlement offers. We proudly serve cyclists and families throughout New Orleans and across Louisiana. We provide the compassion, advocacy, and dedication you deserve when everything feels overwhelming.

The good news is that you don't have to worry about upfront costs. We work on a contingency fee basis, which means we only get paid if we win your case. To get started, [contact us online](#) or call to book a free consultation today. Let us start building a strong case for the compensation you need to recover.