



Motor Vehicle Accident | Auto, Truck, Motorcycle

Motor vehicle accident cases (auto, truck, or motorcycle) are among the most common types of personal injury claims. They arise when someone is injured in a crash caused by another person's negligence or wrongful actions.

No-Fault Benefits (PIP - Personal Injury Protection)

Michigan is a No-Fault insurance state, which changes how auto accident cases are handled. After an accident, an injured person typically first turns to their own insurance (regardless of who caused the crash) for coverage of:

- **Allowable Expenses:** Covers your medical and rehabilitation needs up to the limits of the policy
- **Lost Wages:** Up to 85% for a limited time up to three years following the accident
- **Household Services:** Help with household chores, up to a daily limit of \$20, up to 3 years after the accident

These are called **first-party** benefits or **PIP** benefits.

Suing the At-Fault Driver | Third-Party Claim

You can recover damages against the negligent driver only if your injuries meet Michigan's "serious impairment of body function" threshold. This means the injury must affect your ability to lead your normal life, and not just be a minor setback that heals in a few weeks.

Through this lawsuit, you may recover:

- **Non-Economic Damages:** Pain and suffering, emotional distress, loss of enjoyment of life
- **Excess Economic Damages:** Medical bills and lost wages not covered by PIP

Motorcycles & Coverage

Motorcycle accidents often result in catastrophic injuries, and without PIP coverage, medical bills can quickly become overwhelming. While Michigan law does not require motorcyclists to carry PIP, riders can choose to add optional Medical Benefits Coverage (the equivalent of PIP) to their motorcycle policy to help pay for medical expenses after an accident. This coverage is also tied to Michigan's helmet law—riders must carry at least \$20,000 in Medical Benefits Coverage if they choose to ride without a helmet, unless they are under 21, in which case wearing a helmet is mandatory.

Disclaimer: *The outcome of a particular matter can depend on a variety of factors—including the specific factual and legal circumstance that may come to light during initial investigation.*

Accessing PIP Through Another Vehicle's Insurance

If a motorcycle is struck by a car or truck, the motorcyclist may access PIP benefits from the insurer of the at-fault motor vehicle involved, but the amount of coverage depends on that driver's insurance policy limits. If that vehicle's PIP coverage is limited, the excess medical bills will be recovered in the liability lawsuit.

Trucks/Commercial Vehicles

Truck accidents often result in more severe injuries due to the size and weight of commercial vehicles. The same No-Fault rules apply for Michigan residents, meaning injured people turn to PIP for medical coverage and third-party claims for non-economic damages and excess losses. However, trucking cases often involve additional layers of liability, including:

- The truck driver
- The trucking company
- Contractors or maintenance providers
- Trailers
- Motor carriers
- Many other potential sources of recovery

Because federal and state trucking regulations apply, these cases are more complex. We have significant expertise handling major truck crashes and are highly competent in this particular area of law.

Comparative or Contributory Negligence

A plaintiff's own actions are considered if the injured person was partly at fault (distracted by a phone, ignoring a warning sign), and damages may be reduced accordingly.

Michigan follows a comparative negligence rule. If the injured person is **50% or less at fault**, they can still recover non-economic damages, but their compensation is **reduced by their percentage of fault**. If the plaintiff is found more than **50% at fault**, they are **barred from recovering non-economic damages** (such as pain and suffering), but may still recover economic damages (such as medical bills and lost wages) but these are also reduced by their percentage of fault. Read more: **MCL 600.2959**

The system reflects Michigan's policy that people shouldn't be rewarded for being primarily responsible for their own injuries, but they also shouldn't lose out entirely if they were only partly at fault.

Notes:

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