



DOWNTOWN L.A. LAW GROUP

Personal Injury Law Firm

**DTLA Accident Guides:
UNDERSTANDING THE LEGAL PROCESS**

UBER & LYFT

UBER & LYFT ACCIDENT GUIDE:

UNDERSTANDING THE LEGAL PROCESS OF A RIDESHARE ACCIDENT

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INTRODUCTION

The goal of this accident guide is to ensure that you will be adequately prepared in the event of a crash while driving or riding in an Uber or Lyft vehicle. It is crucial that you understand how the insurance policies work and what you can possibly receive in a lawsuit against the either company. We have compiled additional information to answer your questions and see to it that you are appropriately informed.

Uber and Lyft accidents started happening as soon as the companies started employing drivers. Because of the sudden appearance of the companies and the widespread usage of the app, many insurance companies and lawmakers were unsure how to proceed, especially when faced with the fact that, initially, neither company provided insurance to its drivers. As time went on, however, more clearly defined laws dictated how employment would work, and insurance companies fell in line with the rideshare businesses to craft a unique policy that would cover victims.

We have been involved in litigating Uber and Lyft accident claims since the crashes began happening. Our team has assembled this guide to help you better understand the legal realm of car crashes.

Step-By-Step Guide to Handling Your UBER & LYFT Accident Case

An Uber or Lyft accident is only marginally different from a regular car crash, and only because of the nature of the company and the chauffeuring business. You can still follow the same procedure after an accident, though, to ensure that you have the best chance of success with a lawsuit.

- 1. Get Medical Attention:** Even if you were not seriously hurt, you should still go to the doctor to see that you don't have injuries that will show up once the adrenaline has worn off or to make sure that any pre-existing injuries you had weren't aggravated. You may also wish to call the paramedics to treat you at the scene or take you to the emergency room.
- 2. Gather Evidence:** The evidence you can acquire will be crucial to your case. You can take photos of your injuries, the scene of the accident, the damage to the vehicle, and more. You can hold on to any receipts and notes from medical professionals showing the treatment you received. You should also screenshot and print your receipt of the Uber or Lyft ride.
- 3. Record Third-Party Statements:** There may have been witnesses, other passengers, and other drivers who saw the crash take place. It will be beneficial if you ask these individuals to give you their testimonies as to what they saw.
- 4. Request a Copy of the Police Report:** In car accidents that resulted in physical injuries, it is likely that the police will show up to conduct an investigation and to see if anyone wishes to press charges. They will interview various witnesses and will come up with their own idea as to what happened.
- 5. File an Incident Report with Uber or Lyft:** You will need to alert the company to the accident by filing a report through the app. They will send you a confirmation and will work on their end to get the ball rolling.
- 6. Contact an Uber or Lyft Accident Attorney:** Many times, individuals who have been involved in accidents will simply call any attorney and let him handle the case, despite not knowing if he is remotely qualified to do so. It is in your best interest to reach out to specialized Uber and Lyft accident lawyers who have been experienced with such cases and have won ample compensation for their clients.

Choosing a qualified attorney will enable you to focus on healing on returning to your normal life; you will not have to worry about stressful negotiations and deadlines.

HOW IT WORKS

Uber and Lyft have a responsibility to customers – they must provide them with adequate drivers who will not place the safety of anyone in the car at risk and who will obey the rules and laws while driving.

Drivers who breach these regulations can be held responsible for the ensuing damages, but the company can also be held accountable. Uber and Lyft must hire drivers who pass background checks and do not have poor driving records. If the companies employ such drivers, they are complicit in any accidents that occur because of the driver's improper actions.

In order to file a lawsuit against Uber or Lyft, you must show that you were a victim of negligent action. There are four points of negligence that must be established as true in order to successfully file a claim. They are as follows:

- You were owed a duty of care
- The duty of care was breached
- The breach resulted in an accident of some kind
- The accident led to physical injuries

Each point must be proven, and if even one is shown to be false, the claim will fall apart. For example, if you were not actually physically injured, you won't be able to sue for medical expenses and similar compensation.

You have the ability to sue Uber or Lyft no matter if you were a driver, passenger, or third-party. Different circumstances will dictate the type of case you have; for example, if you were a passenger, it is likely that you had no part in the incident at all, and you should be given full compensation. On the other hand, if you were a driver and an uninsured motorist struck you while you were driving over the speed limit, you may not be fully compensated because of the part you played in the incident.



INSURANCE COVERAGE

Driving for UBER/LYFT automatically includes coverage for potential damages from accidents. The insurance coverage is activated the moment you, the driver, are on the app. Each stage of the application or the stage of your ride carries a different level of coverage.

If you have activated the application, but have not actually picked up a passenger, you will have coverage. This is typically referred to as Phase 1, or the sign in phase, which will grant you \$50,000/\$100,000 for injuries. It will also afford \$25,000 for damage to property and your vehicle. If your damages exceed that amount, your own insurance will step in to cover the difference.

Phase 2 and Phase 3 are essentially the same. This is the pick-up and transport stage, in which the drivers and passengers are afforded a single limit policy in the amount of \$1,000,000 for all coverage. This is a single limit policy, which covers all parties in the car. Thus, if you have multiple people present in the vehicle, it will cover all parties that are present. Additionally, accidents with uninsured and underinsured motorists are covered in this section.

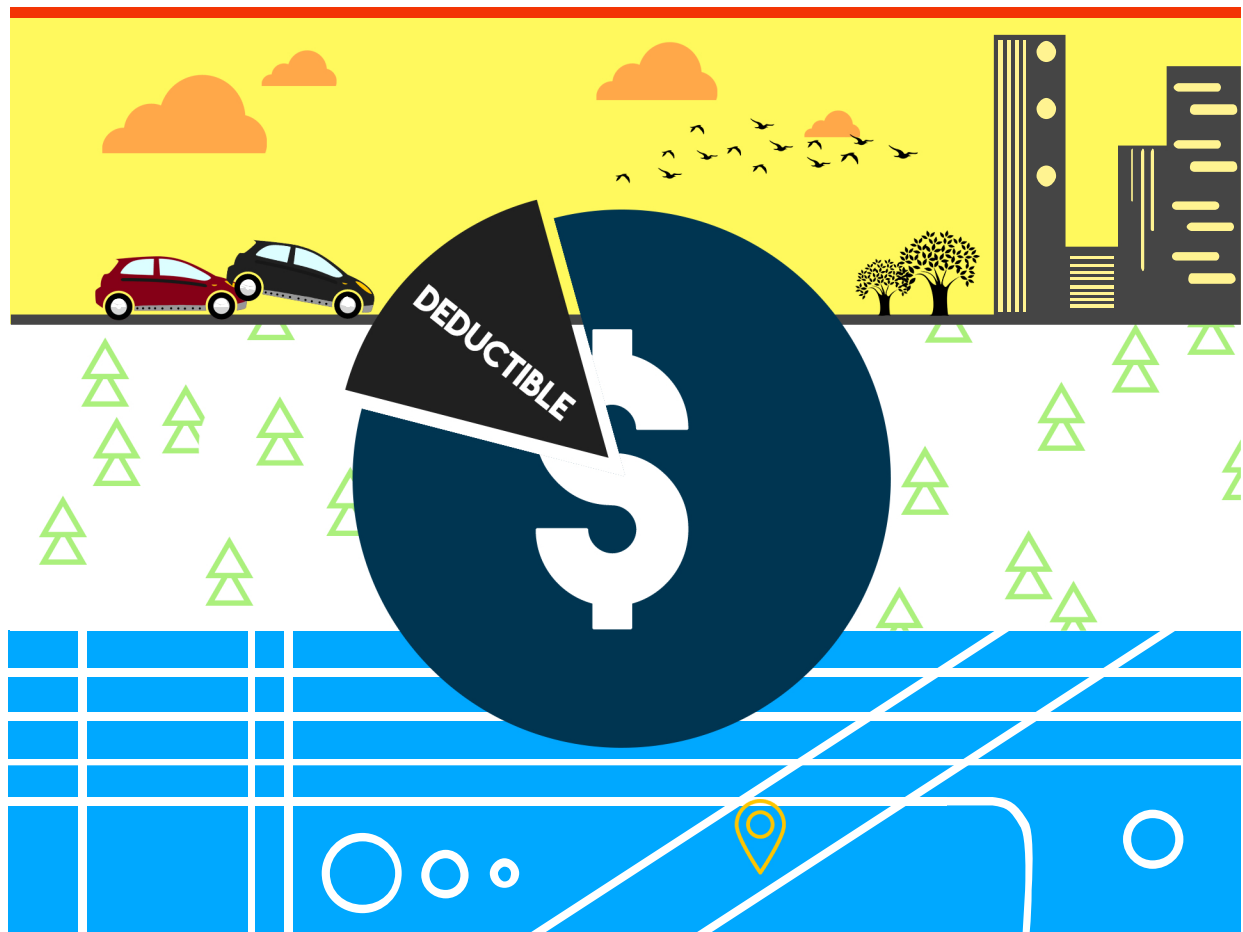
In certain situations, you will have multiple parties that were seriously hurt in the crash. If the driver does not have any fault, you will be subject to the underlying \$1,000,000 policy. If that is the case, the parties will need to determine how to divide the policy so that each member in the car is fully compensated. This can be a long process and oftentimes requires a third-party administrator, which can further facilitate the fair and accurate distribution of the restitution.



DEDUCTIBLE AND CAR REPAIRS

Getting in an Uber/Lyft accident means that you will have to pay a certain amount of money as a deductible if your car were damaged. The deductible must be met before the insurance kicks in to cover the difference. This number varies depending on what company you were driving for or involved in an accident with. For Uber, the deductible is \$1,000; for Lyft, the deductible is \$2,500.

Your car may be greatly damaged and require all sorts of new parts and cosmetic repairs. In some instances, the car will simply be totaled and be written off as a total loss. In order to receive compensation for the damages to your vehicle, you must provide a copy of the mechanic's estimate for repair costs and you must pay the deductible.

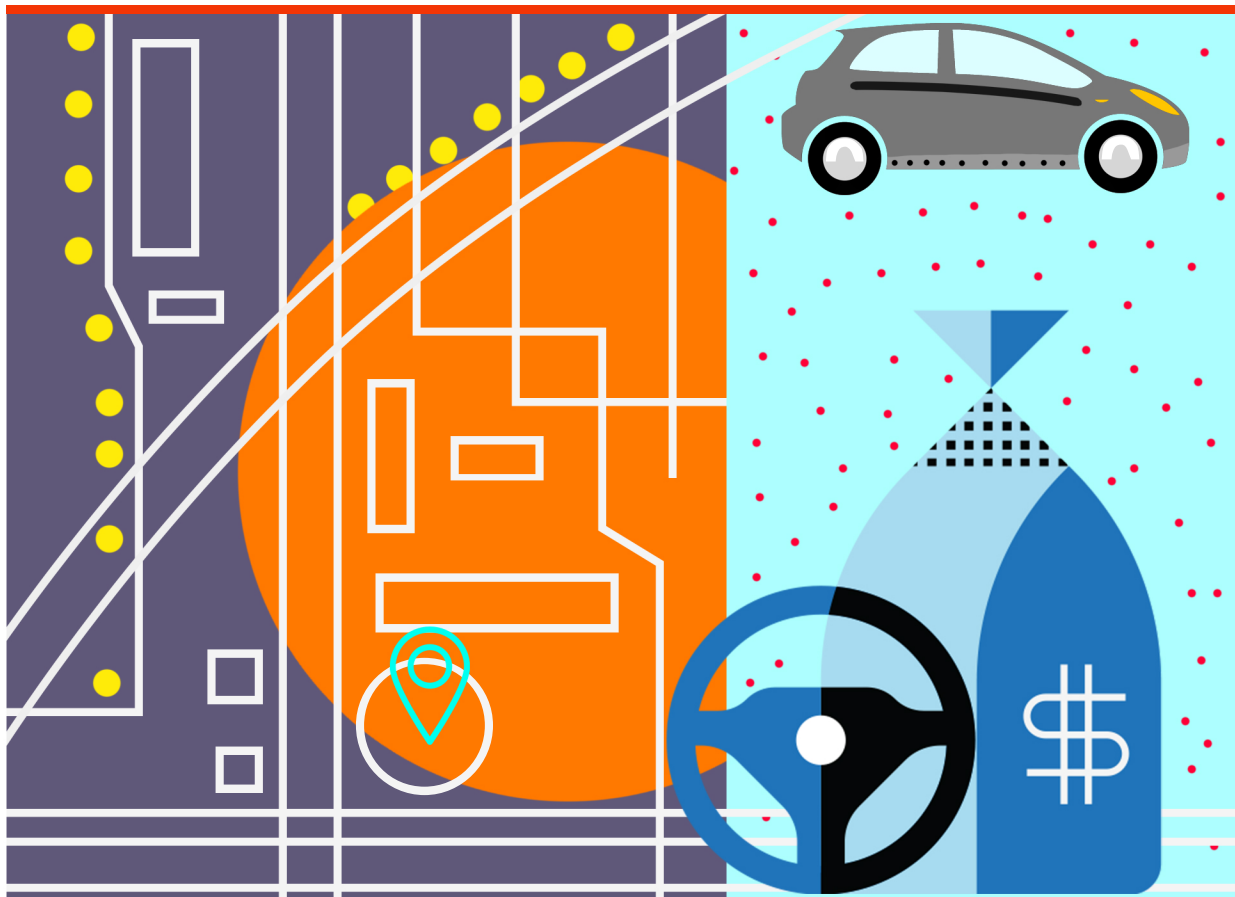


COMPENSATION FOR INJURIES

The presence of injuries is what allows you to file a personal injury lawsuit against Uber/Lyft. If you were not hurt in the accident, you won't be able to collect compensation for your injuries. To prove that you were hurt, you should have photographic or video evidence of your bodily harm, copies of medical bills and doctor's notes, receipts from the hospital or ambulance, proof of treatment or surgery, and more.

Your injuries may be debilitating, extensive, and severe. The degree of your injuries will be the primary determining factor of the amount of money you earn in a settlement.

Injuries can also take emotional and mental forms, not just bodily. You could receive compensation for the mental trauma you suffered in the incident. Some Uber/Lyft accident victims have developed fear, anxiety, PTSD, psychological scarring, and more from such accidents.

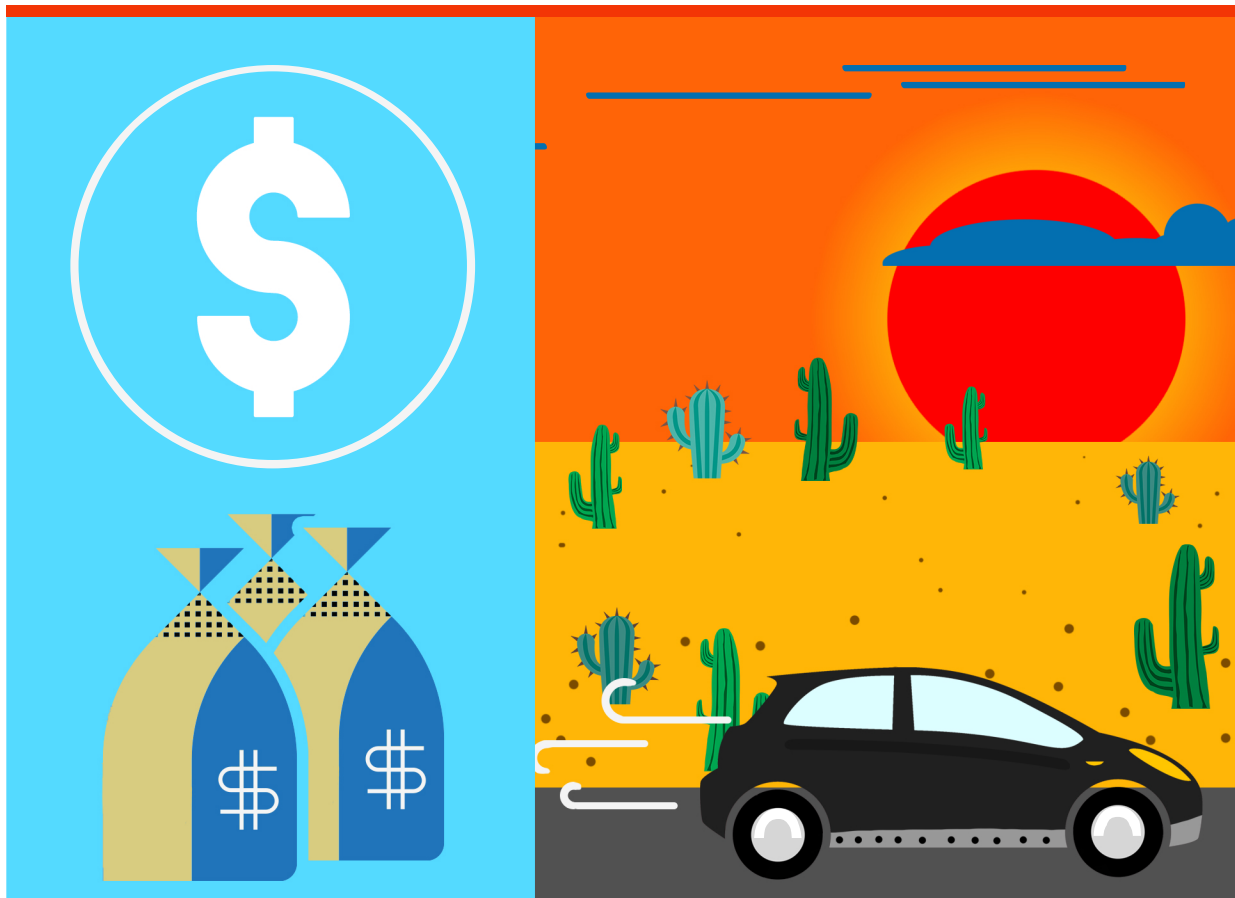


RECOVERY FOR LOSS OF INCOME

An Uber/Lyft accident may take you out of commission of working for some time due to the injuries you suffered and the inability to drive your car if it were badly damaged or totaled. As a result, you could potentially miss out of on ample wages and income, forcing you to accrue debts you otherwise would have paid off.

One of the many forms of compensation you can receive from an Uber/Lyft accident is reimbursement of your lost wages. The time you missed at work can be recouped if you provide evidence showing how many hours you lost and what else you could have received.

Further, an accident may leave you so injured that you will need additional medical treatments in the future or you may have to spend extra time recovering from surgery. These additional days of post-case recovery can be reimbursed with future lost wages.



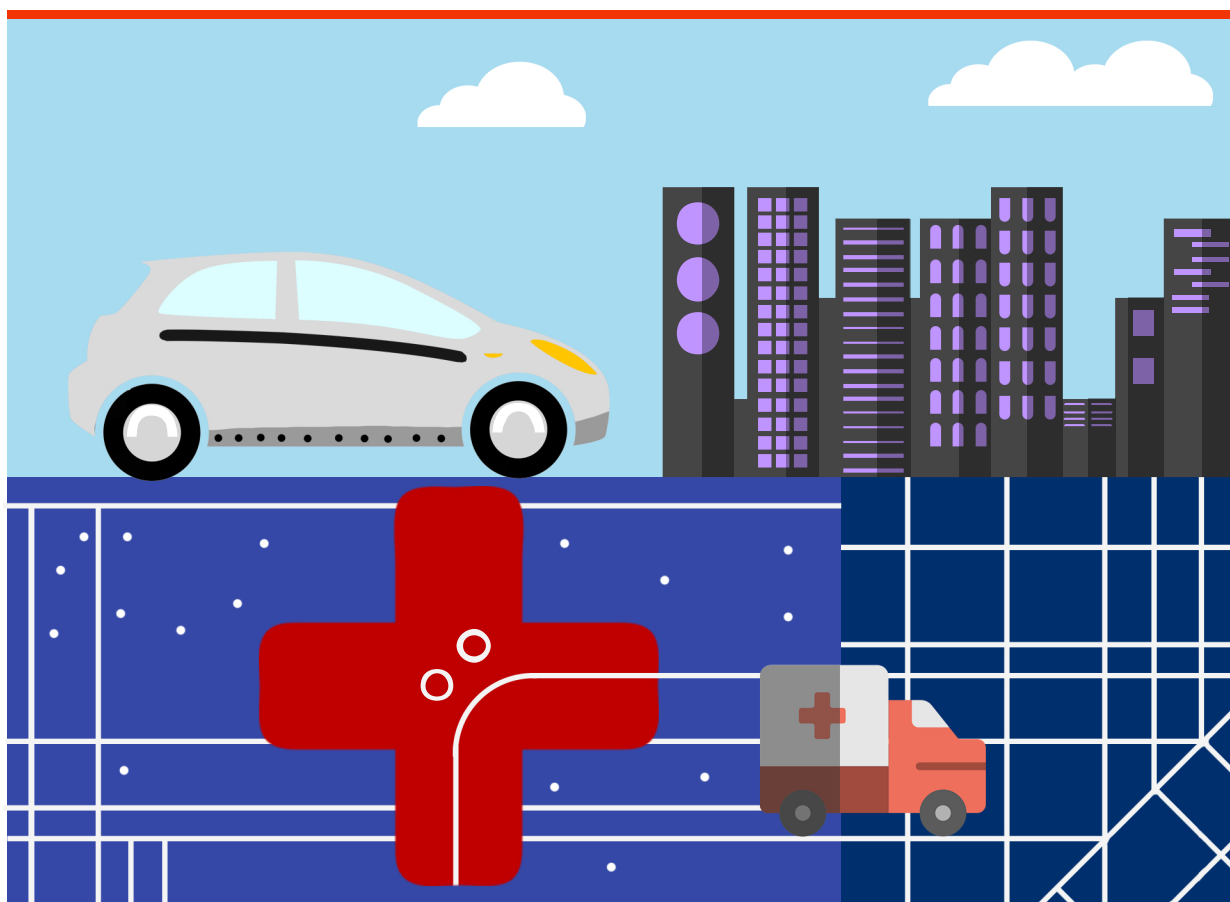
MEDICAL BILLS

Medical bills from an accident quickly rack up and leave you with no way to pay. You may be transported to the hospital by paramedics, get admitted to the emergency room, undergo surgery, be prescribed medication afterwards, receive a prescription for physical therapy, and be asked to have numerous follow-ups and additional treatments.

All of this can be lumped together for medical bills: ambulance costs, hospitalization, medication, physical therapy, and more. These expenses are often the most costly aspect of a case, and as such, the responsible rideshare company can cover the damages.

However, medical bills are also the source of the most disputes when it comes to Uber/Lyft crashes. The insurance companies will always strive to toss out claims that are centered on medical expenses because of the large amount of money they usually require. It is much more beneficial to them to simply not pay out claims, and the ensuing fight can be long and arduous.

Suing for coverage of medical expenses will generally require an attorney.

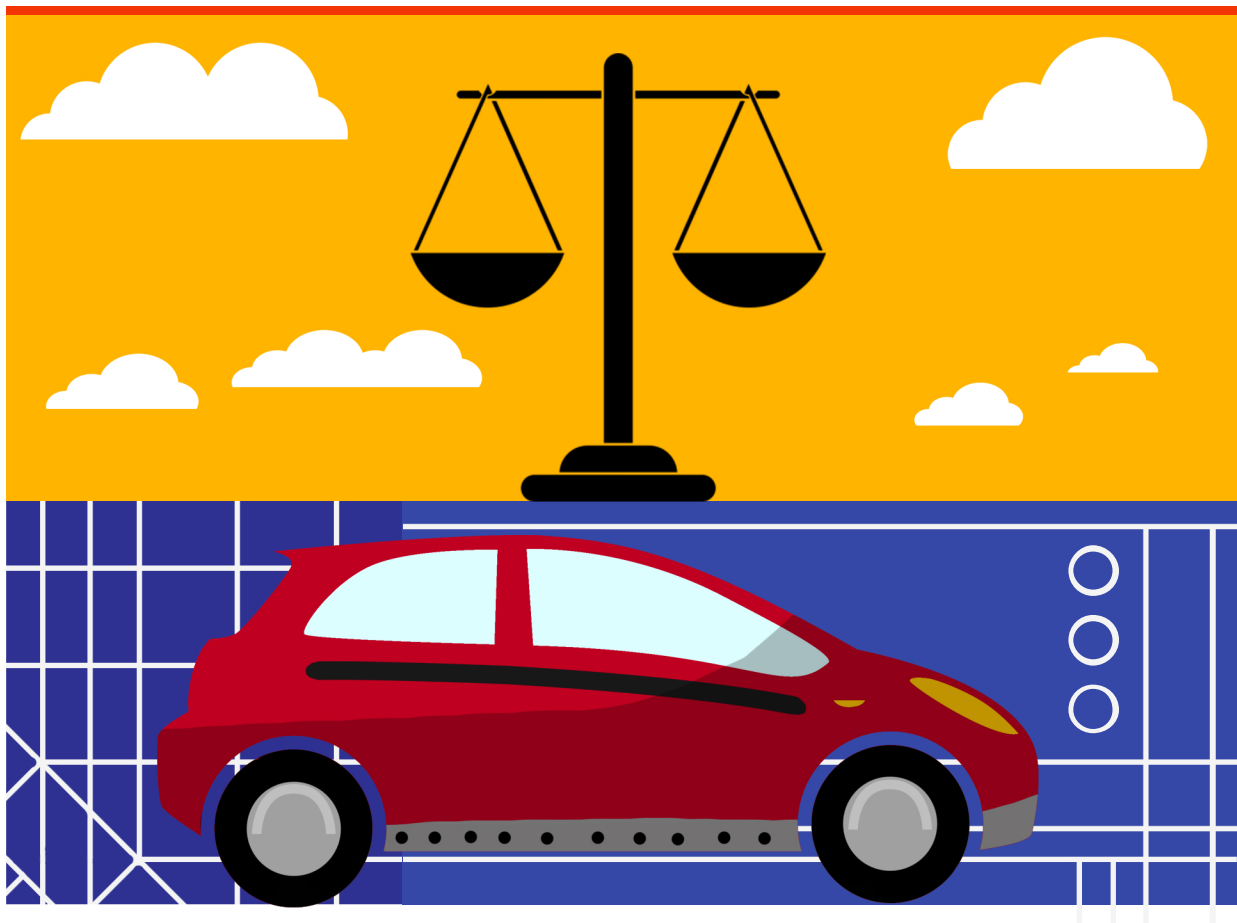


STATUTE OF LIMITATIONS

The State of California only allows victims of accidents to file lawsuits up to 2 years after the date of the injury. This includes Uber and Lyft accidents. Waiting too long to file a claim can result in the case being rejected, and you will not be able to receive any compensation in the future.

The statute of limitations can be tricky to adhere to if you do not remember exact dates. It can also be confusing if you are eligible for an exception to the statute of limitations. Most of the time, this happens due to age; victims may not be 18 years old, and thus, do not have to adhere to a statute until they turn legal age. Further, if the defendant leaves the state, the deadline would be temporarily suspended until he returned.

There are many potential exceptions, and it is wise to speak with an attorney to find out if you are eligible for any.



INFOGRAPHICS & ERRATA

