DeWitt
INJURY AND ACCIDENT ATTORNEYS

THE DEWITT LAW FIRM RIDER SERIES

THE FLORIDA RIDER'S GUIDE TO MOTORCYCLE INJURY COMPENSATION

Presented by DeWitt Law Firm · Orlando, Florida

NAMIL PREMIER

Member, National Academy of Motorcycle Injury Lawyers

WHAT'S INSIDE

CHAPTER 1

A MESSAGE TO ORLANDO'S RIDERS

The only thing worse than being seriously hurt in a motorcycle crash is not getting the compensation you deserve, or finding out later that an insurance company took advantage of you.

Insurance companies have every advantage. They aren't worried about medical bills, lost wages, or putting food on the table. Their adjusters are trained to diminish, devalue, and deny motorcycle claims, and behind them stands an army of lawyers whose only job is to pay you as little as possible.

Here's the truth: you don't have to face them alone. **Moe DeWitt** has represented injured Florida riders and families for years, and through our membership in the **National Academy of Motorcycle Injury Lawyers (NAMIL)**, DeWitt Law Firm stands up for injured Orlando riders. We know how insurers operate, and we don't back down.

If you've been hurt, don't wait. Every day that passes is another day the insurance company is working against you. Call **(407) 245-7723** for straight answers.

CHAPTER 2

THE FIRM IN YOUR CORNER

Moses "Moe" DeWitt

Founder, DeWitt Law Firm

A Florida native, **Moe DeWitt** grew up in the Orlando area and graduated from Winter Park High School before earning his B.A. in Political Science from **Emory University** in Atlanta. He went on to earn his Juris Doctor from the **Florida State University**

College of Law. Moe founded DeWitt Law Firm to give injured Central Florida families the kind of relentless advocacy the big insurance companies don't want them to have.

WHY RIDERS CAN TRUST THIS FIRM

- Recognized as a **Super Lawyers Rising Star** every year since 2018, an honor reserved for a select group of attorneys.
- Handles the full range of serious injury cases, including car, truck, and motorcycle crashes, wrongful death, and catastrophic injury claims.
- Founder of **Helmet Heads of Florida**, a nonprofit dedicated to preventing traumatic brain injuries in children, more than 2,000 helmets distributed to Florida kids and counting.
- Based in Orlando and focused on Central Florida riders and families.

FIRM COORDINATES

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CHAPTER 3

DON'T GET PLAYED BY THE ADJUSTER

The first thing the other driver's insurer wants is a recorded statement and a signed release. Don't give either. Once they have your words on tape, they will twist them to deny or minimize your claim. If you think you can handle an adjuster alone, test them with these questions and watch the red flags appear.

11 QUESTIONS EVERY RIDER SHOULD ASK AN ADJUSTER

1. Will you put in writing that the crash was not my fault?
2. What are your insured's policy limits? Show me the declaration page.
3. Can I have a copy of your insured's recorded statement?
4. If you want my medical records, will you give me copies of everything you collect?
5. Will you share statements from other witnesses?
6. Does your insured have umbrella or secondary coverage? Put it in writing.
7. What personal or medical information have you gathered on me from databases?

8. Have you pulled my credit report or debt information?
9. Have you canvassed my neighbors or people I know?
10. Have you conducted surveillance on me? Show me the photos or video.
11. What reserve amount have you set on my case?

If the adjuster says "no" to any of these, that's a flashing warning sign they don't intend to treat you fairly.

CHAPTER 4

FIVE STRATEGIES THAT CAN GROW YOUR SETTLEMENT

These aren't tricks. They're proven habits that can significantly increase the value of your case if you start them early.

1. TAKE PHOTOS, LOTS OF THEM.

The scene, your injuries, your bike, the other vehicles, your recovery. Pictures tell a story words can't.

2. GET DIAGNOSED FOR EVERY INJURY.

Don't shrug off "minor" pain. If it isn't in your medical record, insurers will argue it came from something else.

3. FOLLOW DOCTOR'S ORDERS.

Every appointment, every therapy session. Skipping care is the easiest way to tank a claim.

4. BRING IN THE RIGHT EXPERTS.

Accident reconstructionists, medical life-care planners, and economists make your damages undeniable.

5. NEGOTIATE THE MEDICAL BILLS.

Even after you win, reducing outstanding bills keeps more money in your pocket. A good firm does this for you every day.

CHAPTER 5

FIVE MISTAKES THAT CAN RUIN YOUR CLAIM

- **Giving a recorded statement.** Never let the other driver's adjuster record you.
- **Believing the adjuster.** If they say you don't have a case or you're at fault, get a lawyer's opinion first.
- **Failing to capture evidence.** Skipping photos of the scene, vehicles, or injuries is a mistake you can't undo.
- **Missing medical appointments.** Every gap in treatment becomes ammunition that you "weren't really hurt."
- **Representing yourself.** You're too close and too untrained in the maneuvering. Your words can be used against you. A lawyer's can't.

CHAPTER 6

FLORIDA MOTORCYCLE INSURANCE ESSENTIALS

Florida's insurance rules for motorcyclists are different, and more dangerous for riders, than most people realize.

THE FLORIDA MOTORCYCLE INSURANCE GAP

Florida's No-Fault law (Fla. Stat. § 627.736) requires Personal Injury Protection (PIP) only for vehicles with four or more wheels. **Motorcycles are excluded.** Florida also does not require riders to carry any liability insurance at all to register a motorcycle. That means it's entirely legal for the driver who hits you to be carrying zero insurance.

Riders who do carry liability coverage commonly carry at least **$10,000 in property damage liability and $10,000/$20,000 in bodily injury liability**, but nothing in Florida law requires even that. Because so many Florida drivers and riders carry the bare minimum, or nothing, **Uninsured/Underinsured Motorist (UM/UIM) coverage is the single most important thing a Florida rider can buy.**

WHAT RIDERS SHOULD CARRY

- **Liability:** at least 100/300 if you can, even though it isn't required to register your bike.
- **UM/UIM:** as much as you can afford. In Florida, this is often the coverage that actually pays your claim.

- **Medical payments or health coverage:** since motorcycles are excluded from PIP, your own health insurance or medical payments coverage is what pays your bills after a crash.
- **Note on the helmet-law insurance option:** separately, riders 21 and older can ride without a helmet only if they carry at least $10,000 in medical benefits coverage for crash injuries (see Chapter 13). That $10,000 figure is about the helmet exemption, not your liability coverage.

CHAPTER 7

THE UM/UIM LIFESAVER: A REAL-NUMBERS STORY

Picture a rider hit by a distracted driver merging onto I-4 near downtown Orlando. Medical bills alone top $200,000. The problem: the at-fault driver, like many in Florida, carried only the bare state-minimum auto liability coverage, or none at all for a motorcycle-involved crash.

Without more protection, that rider could be left holding most of a $200,000 bill. But say they carried **Underinsured/Uninsured Motorist coverage of $200,000** on their own policy. When the at-fault driver's coverage falls short (or doesn't exist), their own UM/UIM steps in to cover the gap.

THE MATH

At-fault driver's available insurance: often little or none
Your UM/UIM coverage: $200,000
Total available: up to $200,000, instead of a bill you're left to cover yourself

Florida doesn't require any driver, or any motorcyclist, to carry liability insurance to register their vehicle. That single fact is why UM/UIM coverage matters more in Florida than in almost any other state.

CHAPTER 8

WHAT IS MY CASE WORTH IN FLORIDA?

There's no magic calculator, but three factors drive most of it: **liability** (how clearly the other driver is at fault), **available insurance** (policy limits and UM/UIM set the ceiling), and **your lawyer** (insurers track which firms actually try cases).

> **FLORIDA'S MODIFIED COMPARATIVE NEGLIGENCE RULE**
>
> Since March 24, 2023, Florida uses **modified comparative negligence with a 51% bar** (Fla. Stat. § 768.81(6)), enacted by House Bill 837. If you're found **more than 50% at fault**, you recover nothing. If you're found 50% or less at fault, your damages are reduced by your percentage of responsibility. So if you win $100,000 but are found 20% at fault, you recover $80,000. Before this change, Florida used pure comparative negligence with no cutoff at all, so this is a major shift insurers now use aggressively.

Other factors adjusters weigh: the severity and permanence of your injuries, current and future medical bills, lost wages and earning capacity, your credibility, and the at-fault driver's conduct (impaired? distracted? speeding on the Turnpike?).

CHAPTER 9

TIMELINE: HOW LONG UNTIL IT SETTLES?

- **Never settle too soon.** Insurers dangle quick low offers before you know the full extent of your injuries.
- **Wait for Maximum Medical Improvement (MMI).** Settle before you've healed as much as you will, and you're gambling with your future care.
- **After treatment, expect 3–6 months** to gather bills, build a demand, and negotiate.

> **FLORIDA'S DEADLINE JUST GOT SHORTER**
>
> For injuries occurring on or after March 24, 2023, Florida gives you just **two years from the date of injury** to file a personal-injury lawsuit (Fla. Stat. § 95.11), cut down from the previous four years by House Bill 837. Miss it and your claim is gone. Don't wait to get advice.

CHAPTER 10

DO I HAVE TO GO TO COURT?

"I'm not the suing type." We hear that a lot. The truth: **you're the boss**, and most cases settle before trial. But filing suit is sometimes how you make a stubborn insurer pay full value. It opens access to records, statements, and depositions, and it tells the insurer you're serious. Having a firm willing to try the case is often what makes the difference, even if you never see a courtroom.

CHAPTER 11

EVIDENCE WINS CASES: YOUR POST-CRASH PLAYBOOK

IMMEDIATELY AFTER A CRASH

- Photograph the scene, vehicles, your bike, your gear, and your injuries.
- Get witness names and numbers.
- Call police and get the crash report.
- Save your gear, don't toss the helmet, jacket, or gloves. They prove impact.

MEDICAL EVIDENCE IS EVERYTHING

- Report every symptom, even "small" ones. Undocumented means denied.
- Follow treatment. Keep a simple pain journal (pain, sleep, mobility).
- Helmet-cam or dash-cam footage can be a game-changer.

CHAPTER 12

ORLANDO & CENTRAL FLORIDA RIDING RISKS

- **The I-4 corridor.** Chronic congestion, ongoing construction, and sudden slowdowns through downtown Orlando catch even local riders off guard.
- **International Drive & the tourist corridor.** A heavy mix of rental cars and out-of-town drivers unfamiliar with the area means more unpredictable lane changes and missed signals.
- **SR 408, 417 & 429 (the beltways).** High-speed merges and toll-plaza slowdowns are common crash points.
- **Afternoon thunderstorms.** Central Florida sees some of the most frequent lightning and sudden downpours in the country, roads that were dry can turn slick in minutes.

- **Rural roads in Lake & Osceola counties.** Agricultural equipment, unlit shoulders, and wildlife crossings demand extra caution outside the city.

> **FLORIDA'S HELMET LAW**
>
> All riders and passengers under 21 must wear a DOT-compliant helmet (Fla. Stat. § 316.211). Riders 21 or older may ride without one only if they carry at least $10,000 in medical benefits coverage for injuries from a motorcycle crash. Choosing not to wear a helmet can still be used by an insurer to argue you contributed to the severity of your injuries.

CHAPTER 13

RIDE SAFER: PRO TIPS FOR FLORIDA RIDERS

HEAT & STORMS

- Central Florida summers bring heat exhaustion risk fast, hydrate before you're thirsty and take breaks.
- Check radar before long rides. If you see a storm building, get off the road, Florida's afternoon storms move in quickly.
- Wet pavement right after a dry spell is the most slippery it gets all year. Ease off.

TOURIST TRAFFIC & VISIBILITY

- Assume rental-car drivers near International Drive and the theme park corridor don't know the roads. Give extra space.
- Bright jacket and reflective tape change whether distracted drivers see you at intersections.
- Add auxiliary lights to grow your profile in heavy tourist traffic.

GEAR & MAINTENANCE

- Florida heat ages tires faster than riders expect. Check your tire date code (4-digit DOT) and replace tires every 5–6 years regardless of tread.
- Whatever you decide about a helmet, remember Florida law only exempts riders 21+ who carry at least $10,000 in medical coverage; carry proof of that coverage if you choose to ride without one.

CHAPTER 14

RESULTS, REVIEWS & COMMUNITY

Moe DeWitt has represented injured Central Florida families for years, earning recognition as a Super Lawyers Rising Star every year since 2018. Beyond the courtroom, Moe founded **Helmet Heads of Florida**, a nonprofit dedicated to preventing traumatic brain injuries in children, more than 2,000 helmets distributed to kids across Florida and counting.

For DeWitt Law Firm's approval before publishing: insert 2–3 real, firm-approved case results and a few verified client testimonials here. Per bar advertising rules and our own standard, we won't publish specific results or quotes that the firm hasn't reviewed and approved. Until then this section stays general.

Chapter 15

YOUR NEXT STEP: A FREE CASE REVIEW

If you've been hurt in a motorcycle crash, don't go it alone. The insurance company has a team of lawyers. So should you.

When you call DeWitt Law Firm, you'll talk to a real person, get your questions answered, and learn your rights before you sign anything. No pressure, no obligation, and if we take your case, you don't pay unless we win.

(407) 245-7723

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APPENDIX

QUICK REFERENCE

A · FLORIDA INSURANCE CHEAT SHEET

- Motorcycles are excluded from Florida's PIP requirement, and no liability insurance is legally required to register a motorcycle.
- Recommended: 100/300 liability + as much UM/UIM as you can afford + your own health/medical payments coverage.
- Separate $10,000 medical-coverage option lets riders 21+ skip the helmet requirement.

B · AFTER-CRASH CHECKLIST

- Check for injuries, call 911.
- Photograph scene, vehicles, gear, injuries.
- Get witness info and the police report.
- Seek medical care the same day.
- Call DeWitt Law Firm before giving any statement.

C · GLOSSARY

- **MMI:** Maximum Medical Improvement, when you've healed as much as you will.
- **UM/UIM:** Uninsured / Underinsured Motorist coverage, not mandatory in Florida but often the coverage that actually pays a rider's claim.
- **PIP:** Personal Injury Protection under Florida's No-Fault law; motorcycles are excluded.
- **Modified comparative negligence:** Florida's rule (since March 2023) barring recovery once you're found more than 50% at fault, and reducing damages by your fault percentage below that.

D · ABOUT NAMIL

The National Academy of Motorcycle Injury Lawyers is a nationwide network of attorneys dedicated to injured riders. Membership is limited to firms committed to bikers' rights. DeWitt Law Firm is NAMIL's member firm for the Orlando market.

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