O'Connor LAW PLLC

THE O'CONNOR LAW RIDER SERIES

THE NEW YORK RIDER'S GUIDE TO MOTORCYCLE INJURY COMPENSATION

Presented by O'Connor Law · New York, New York

Member, National Academy of Motorcycle Injury Lawyers

WHAT'S INSIDE

CHAPTER 1

A MESSAGE TO NEW YORK'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. **O'Connor Law** is one of New York' fastest-growing injury and driver-defense firms, and through our membership in the **National Academy of Motorcycle Injury Lawyers (NAMIL)**, we stand up for injured New York 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 **(773) 832-5109** for straight answers.

CHAPTER 2

THE FIRM IN YOUR CORNER

Mary O'Connor

Founder, O'Connor Law · NAMIL Member

O'Connor Law was founded by attorney **Mary O'Connor** and built into one of the fastest-growing law firms in the country. Mary grew up in New York's south suburbs and put himself through **New York-Kent College of Law at night** while managing a large team at a major media company, then co-founded the firm with his wife, an accomplished attorney in her own right.

WHY RIDERS CAN TRUST THIS FIRM

- **3,000+ five-star reviews** and a 98% client-satisfaction rate.
- **Inc. 5000** three years running, named the **#29 fastest-growing law firm** in the United States.
- **120+ years of combined experience** and a team of more than 35, so your case never sits.
- Recognized by **Super Lawyers**; members of the New York and DuPage County Bar Associations.
- **Member of the National Academy of Motorcycle Injury Lawyers (NAMIL)**, the national network for attorneys who fight for injured riders.

FIRM COORDINATES

O'Connor Law · New York: 53 W. Jackson Blvd., Suite 1401 · Villa Park: 325 E. North Ave.
Serving Cook, Lake, DuPage & Kane Counties · **(773) 832-5109** · driverdefenseteam.com

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

NEW YORK MOTORCYCLE INSURANCE ESSENTIALS

Most riders don't realize how little coverage New York law requires. Ride with only the state minimums and you're gambling with your financial future.

NEW YORK MINIMUM COVERAGE (625 ILCS 5/7-203 · 215 ILCS 5/143A)

25 / 50 / 20

$25,000 bodily injury per person · $50,000 per crash · $20,000 property damage. New York also **requires uninsured motorist (UM) coverage at 25/50, and you cannot waive it.** Underinsured motorist (UIM) is required when you buy higher UM limits.

A single surgery can top $100,000. Rehab and lost wages pile on fast. If the driver who hits you carries only the minimum, you'll be left with pennies unless you protected yourself.

WHAT RIDERS SHOULD CARRY

- **Liability:** at least 100/300 if you can.
- **UM/UIM:** match your liability limits (this is your real lifeline in New York).
- **Medical Payments (MedPay):** $5,000–$10,000, pays regardless of fault.
- **Umbrella:** worth it if you own a home or assets.

CHAPTER 7

THE UM/UIM LIFESAVER: A REAL-NUMBERS STORY

Picture a rider hit by a driver who ran a red light. Medical bills alone top $250,000. The problem: the at-fault driver carried only the New York minimum, $25,000 in liability.

Without protection, that rider is financially ruined. But say they carried **Underinsured Motorist coverage of $250,000**. When the at-fault driver's insurance runs out, their own UIM picks up the rest.

THE MATH

At-fault driver's insurance: $25,000
Your UIM coverage: $250,000
Total available: $275,000

Riders skip UM/UIM to save a few bucks. Don't. In New York it's the difference between recovery and ruin.

CHAPTER 8

WHAT IS MY CASE WORTH IN NEW YORK?

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 set the ceiling), and **your lawyer** (insurers track which firms actually try cases).

NEW YORK' 50% RULE (735 ILCS 5/2-1116)

New York uses **modified comparative negligence**. If you're found **more than 50% at fault, you recover nothing.** At 50% or less, your award is reduced by your share of fault. Insurers love to pin partial blame on riders, so fault is everything.

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?).

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.

NEW YORK DEADLINE (735 ILCS 5/13-202)

You generally have **two years from the date of injury** to file a personal-injury lawsuit in New York (five years for property damage). 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

NEW YORK & NEW YORK RIDING RISKS

- **Intersections.** Most car-on-motorcycle crashes happen here, especially left-turning drivers. Own your lane and assume they don't see you.
- **Expressway congestion.** The Kennedy, Eisenhower, and Dan Ryan mean heavy traffic and aggressive lane changes. Keep a buffer.
- **Lake Shore Drive & city streets.** Potholes, rail and bridge-grate surfaces, and door zones near parked cars.
- **Weather swings.** Sudden Midwest storms turn oily pavement slick fast. Rainbow sheen on the road means oil, avoid it.

NO HELMET LAW, BUT IT STILL MATTERS

New York is one of the few states with **no helmet law**. You're free to ride without one, but an insurer can argue your injuries were worse because of it and use New York' comparative-fault rule to reduce your recovery. High-visibility gear protects your body and your claim.

CHAPTER 13

RIDE SAFER: PRO TIPS FOR NEW YORK RIDERS

BRAKING & CORNERING

- Finish braking before you enter a curve.
- Avoid hard braking on painted surfaces and crosswalks.
- Practice emergency stops in a safe lot. Muscle memory saves lives.

NIGHT & RAIN

- Double your following distance.
- Ride in a car's tire track to avoid water pooling in the lane center.
- First rain after a dry spell is the most slippery. Ease off.

GEAR & VISIBILITY

- Bright jacket and reflective tape change whether drivers see you at intersections.
- Add auxiliary lights to grow your profile in traffic.
- Check your tire date code (4-digit DOT) and replace tires every 5–6 years regardless of tread.

CHAPTER 14

RESULTS, REVIEWS & COMMUNITY

O'Connor Law has earned **3,000+ five-star reviews**, a 98% client-satisfaction rate, and three consecutive years on the Inc. 5000, ranked the #29 fastest-growing law firm in the country. When riders call, they reach a real team, not a call center.

For Mary'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 O'Connor Law, 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.

(773) 832-5109

driverdefenseteam.com · New York & Villa Park, IL

APPENDIX

QUICK REFERENCE

A · NEW YORK INSURANCE CHEAT SHEET

- Minimum: 25/50/20 · UM required at 25/50 (can't waive) · UIM with higher limits.
- Recommended: 100/300 liability + UM/UIM to match + MedPay $5k–$10k.

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 O'Connor Law 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.
- **MedPay:** Medical Payments coverage, pays regardless of fault.
- **Reserve:** the amount an insurer quietly sets aside for your claim.

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. O'Connor Law is NAMIL's member firm for the New York market.

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This guide is general information for New York riders, not legal advice, and does not create an attorney-client relationship. Laws change and every case is different; consult an attorney about your specific situation. Attorney advertising. Statutory references (625 ILCS 5/7-203, 215 ILCS 5/143a, 735 ILCS 5/2-1116, 735 ILCS 5/13-202) are provided for general reference and should be verified.