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THE DIAZ LAW FIRM RIDER SERIES

THE TEXAS RIDER'S GUIDE TO MOTORCYCLE INJURY COMPENSATION

Presented by Diaz Law Firm · Dallas-Fort Worth, Texas

NAMIL PREMIER

Member, National Academy of Motorcycle Injury Lawyers

WHAT'S INSIDE

CHAPTER 1

A MESSAGE TO TEXAS'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. **Diaz Law Firm** is an established Texas injury firm, and through our membership in the **National Academy of Motorcycle Injury Lawyers (NAMIL)**, we stand up for injured Texas 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 **(214) 800-2086** for straight answers.

CHAPTER 2

THE FIRM IN YOUR CORNER

Manuel Diaz

Founder, Diaz Law Firm · NAMIL Member

Diaz Law Firm was founded by attorney **Manuel Diaz**. A Texas trial lawyer raised in Brownsville, Manuel earned his undergraduate degree cum laude from SMU's Cox School of Business and his law degree from **SMU's Dedman School of Law**. After years as a corporate attorney and a litigation partner, he opened his own firm to fight for everyday Texans.

WHY RIDERS CAN TRUST THIS FIRM

- **Four Texas offices** in Dallas, Fort Worth, Denton, and San Antonio, so help is always close.
- Founded and led by an **SMU-trained trial lawyer** with corporate and litigation experience on both sides.
- A full team, so your case never sits and your calls get answered.
- **No fee unless we win.** You pay nothing up front and nothing at all unless we recover for you.
- **Member of the National Academy of Motorcycle Injury Lawyers (NAMIL)**, the national network for attorneys who fight for injured riders.

FIRM COORDINATES

Diaz Law Firm · Dallas: 8100 John W. Carpenter Fwy, Dallas, TX 75247
Serving Dallas, Fort Worth, Denton & San Antonio · **(214) 800-2086** · diazlf.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

TEXAS MOTORCYCLE INSURANCE ESSENTIALS

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

TEXAS MINIMUM COVERAGE (TEX. TRANSP. CODE § 601.072)

30 / 60 / 25

$30,000 bodily injury per person · $60,000 per crash · $25,000 property damage. Texas also **requires insurers to offer you uninsured/underinsured motorist (UM/UIM) coverage**, and you have to reject it in writing. Don't reject it. Take it.

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 Texas).
- **Medical Payments (MedPay) / PIP:** 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 Texas minimum, $30,000 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: $30,000
> Your UIM coverage: $250,000
> **Total available: $280,000**

Texas insurers must offer you UM/UIM, and too many riders sign it away to save a few dollars. Don't. It's the difference between recovery and ruin.

CHAPTER 8

WHAT IS MY CASE WORTH IN TEXAS?

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).

> **TEXAS' 51% RULE (TEX. CIV. PRAC. & REM. CODE § 33.001)**
>
> Texas uses **proportionate responsibility**, a modified comparative negligence rule. If you're found **51% or more 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.

> **TEXAS DEADLINE (TEX. CIV. PRAC. & REM. CODE § 16.003)**
>
> You generally have **two years from the date of injury** to file a personal-injury lawsuit in Texas. Shorter notice deadlines can apply when a government entity is involved. 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 law enforcement and get the crash report (the Texas CR-3).
- 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

DFW & TEXAS RIDING RISKS

- **Intersections.** Most car-on-motorcycle crashes happen here, especially left-turning drivers. Own your lane and assume they don't see you.
- **The metroplex freeways.** I-35E and I-35W, the LBJ (I-635), US-75 Central, and I-20/I-30 mean fast traffic and aggressive lane changes. Keep a buffer.
- **Rural North Texas two-lanes.** Deer at dawn and dusk, loose gravel and caliche, blind rises, and drivers who simply aren't looking for bikes.
- **Heat & sudden storms.** Texas summer heat wears you down fast, and a clear sky can turn to a downpour in minutes. The first rain after a dry spell leaves pavement greasy. A rainbow sheen means oil, avoid it.

TEXAS' HELMET LAW (TEX. TRANSP. CODE § 661.003)

Texas requires a **DOT-approved helmet for riders under 21**. Riders 21 and older may go without **only** if they've completed an approved safety course or carry qualifying health insurance. Even when it's legal to skip the helmet, an insurer can argue your injuries were worse without one and use the state's fault rule to chip at your recovery. High-visibility gear protects your body and your claim.

CHAPTER 13

RIDE SAFER: PRO TIPS FOR TEXAS 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.

HEAT, NIGHT & RAIN

- Hydrate and take breaks. Texas summer heat drains you faster than you think.
- Double your following distance at night, and watch the shoulders for deer on rural roads.
- The first rain after a dry spell is the most slippery. Ease off and ride in a car's tire track.

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

Diaz Law Firm fights for injured Texans from four offices across the state, on a no-fee-unless-we-win basis. When riders call, they reach a real team that knows Texas roads, courts, and insurers.

For Manuel'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 Diaz 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.

(214) 800-2086

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APPENDIX

QUICK REFERENCE

A · TEXAS INSURANCE CHEAT SHEET

- Minimum: 30/60/25 · UM/UIM must be offered (reject only in writing, so don't).
- Recommended: 100/300 liability + UM/UIM to match + MedPay/PIP.

B · AFTER-CRASH CHECKLIST

- Check for injuries, call 911.
- Photograph scene, vehicles, gear, injuries.
- Get witness info and the crash report.
- Seek medical care the same day.
- Call Diaz 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.
- **MedPay / PIP:** coverage that 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. Diaz Law Firm is NAMIL's member firm for the Dallas-Fort Worth market.

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