



## RIDESHARE ACCIDENTS

# A QUICK GUIDE FOR DRIVERS



Uber, Lyft, and other ridesharing companies do not accept liability for their drivers. Drivers who sign up to provide services through ridesharing programs must be mindful of the risks they assume and the steps they can take to protect themselves.

## RIDESHARE INSURANCE OPTIONS IN KANSAS

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There are only a handful of insurance companies that offer insurance policies to rideshare drivers in Kansas. These companies are Farmers Insurance, GEICO, American Family, State Farm, and USAA. Drivers are not covered under their personal automobile insurance policy unless they have a specific rideshare endorsement. However, this is changing. For instance, the rideshare policy offered by GEICO takes the place of the individual's personal automobile policy.

Each insurance policy varies in the coverage they provide and it is crucial to thoroughly review the fine print within your policy paying particular attention to the liability, collision, and medical coverage available. In general, rideshare policies cover:

- **Damage to the vehicle**
- **Medical expenses for the driver and passenger**
- **Property damage**
- **Bodily injury to 3rd parties**
- **Losses incurred from theft, flood, fire, or animals**
- **Towing/roadside assistance**
- **Uninsured motorists**

One of the most important factors to consider is when coverage is, and is not provided. Most rideshare policies are divided into three periods:

- **Period 1 covers the time when the driver is in the vehicle with the ridesharing app turned on.**
- **Period 2 covers the time when the driver is en route to pick up a passenger.**
- **Period 3 covers the time when the passenger is within the vehicle and en route to their destination.**

Most insurance policies offer coverage during Period 1, but cease coverage during Periods 2 and 3. During Periods 2 and 3, drivers must rely on the coverage offered by Lyft, Uber, etc. However, there are exceptions such as State Farm which offers coverage during all three periods.

## DEALING WITH DEDUCTIBLES

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Insurance claims involving rideshare accidents are not quickly solved. There are many variables that come into play which affect everything from the time it takes to process the claim, to the time it takes to receive reimbursements. When filing insurance claims for rideshare accidents, drivers must be patient and persistent. It is essential to keep copies of everything including:

- Police reports
- Statements gathered from witnesses
- Any communications received or sent
- Medical bills and records
- Insurance information of anyone else involved in the accident

When a rideshare accident occurs, drivers are liable for the deductible. This can be the deductible required by Uber or Lyft's insurance if the accident occurs during Periods 2 or 3, or the coverage provided by the individual's own insurance policy.

Some policies, such as those offered by State Farm and Allstate offer deductible gap coverage. With these policies, drivers are required to pay the full deductible to Uber or Lyft. Currently, Lyft's deductible is \$2,500 and Uber's is \$1,000. Afterward, the driver can file for reimbursement from Allstate or State Farm for the amount that exceeds the deductible within their personal insurance policy.

## NOTIFYING UBER, LYFT, ETC.

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The more you drive, the greater the likelihood that you will be involved in an automobile accident. If the accident occurs during Periods 2 or 3, the rideshare's insurance should be listed as the primary insurance provider. Uber, Lyft, etc. should be notified immediately via their emergency hotline. At this point, it is likely that the driver's account will be suspended until it is determined that the vehicle is safe to operate.

## PROTECTING YOURSELF IN AN ACCIDENT

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It is essential that rideshare drivers protect themselves when an accident occurs. First and foremost, drivers must ensure that all parties are safe and that law enforcement and emergency responders are notified. Uber, Lyft, and the individual's personal insurance provider should be informed immediately that an accident has occurred.

Drivers must begin the process of gathering evidence at the scene of the accident. This helps protect against claims of reckless driving and any personal injury torts a rider or 3rd party may attempt to file against the driver. As with all accidents, this evidence should include a thorough and accurate police report, photographs, video evidence, as well as eyewitness statements and contact information. Drivers should not sign or agree to any documents or admission of fault without first consulting a personal injury attorney.

## COLLECTING COMPENSATION & DEALING WITH DISPUTES.

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Drivers may be eligible to pursue compensation for medical bills, lost wages, property damage, and other losses suffered as a result of the accident. A personal injury attorney can help drivers navigate their legal options and pursue just compensation for their damages.

Disputes in accidents involving rideshares are common and drivers should never attempt to dispute their claims without the assistance of a personal injury attorney in Kansas. It is common practice for the various entities involved to attempt to shift liability to one another.

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## FINAL TAKEAWAY TIPS FOR RIDESHARE DRIVERS

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Few people consider the technicalities of a rideshare accident until they're face-to-face with the reality of one. It's important for rideshare drivers to plan ahead, and be prepared to react appropriately in order to guard their rights, as well as the health and safety of all parties involved.

- 1. Get Rideshare Insurance:** Make sure you have rideshare insurance that will give you coverage during the periods that you need it. Carefully read your policy and take note of deductibles.
- 2. Have Your Deductible Ready:** Although you may be entitled to compensation down the line, upfront costs will still come out of pocket, and you will be responsible for deductibles consistent with your insurance policy. Ensure that you have savings on hand to accommodate the costs required by your policy and the policy of your rideshare company.
- 3. Call a Lawyer for Help:** Enlist the help of an experienced rideshare accident attorney right from the get-go. Don't wait until the situation is more than you can handle. Insurance agencies and rideshare companies have professionals standing by, all working to ensure that they get away with paying as little as possible. Make sure you have an experienced professional in your corner, too.



## **BRAD PISTOTNIK LAW**

If you are a rideshare driver for Uber, Lyft, or another transportation company, and you were involved in an accident, it's important for you to guard your rights with the help of an experienced attorney. Brad Pistotnik Law is a Wichita-based law firm that has been fighting on behalf of individuals in Kansas and surrounding states since 1981, and has extensive experience in rideshare accidents and worker's rights.

Call us toll free at **800-241-BRAD (2723)**,  
or locally at **316-684-4400**.

You can also visit us online at **[bradpistotniklaw.com](http://bradpistotniklaw.com)**.

