

Florida Motorcycle Accidents:  
200 Riding Tips, Insurance Advice, & Practical Suggestions

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## Important Disclaimers

**Please read this page, before you read anything else. It contains important information regarding the purpose of this book.**

This publication is designed to provide general information prepared by professionals regarding the subject matter covered. It is sold with the understanding that the publisher is not here engaged in rendering legal, medical, accounting, or other professional services. Although prepared by professionals, this publication should not be utilized as a substitute for professional service in specific situations. If legal advice or other expert assistance is required, the service of a professional should be sought.

(From a declaration of Principles jointly adopted by a Committee of the American Bar Association and a Committee of Publishers).

This book is designed for people interested in learning more about obtaining motorcycle insurance in Florida and motorcycle riding tips for Florida riders, but it is not a substitute for individual legal advice. This book offers a general overview, but your case may include situations not addressed in this book. No attorney-client relationship is intended or established by reading this book.

Always confer with an attorney and the appropriate state or federal agency, to ascertain the current status of the law. Every effort has been made to include up-to-date information, but the law is not static – it is in a constant state of flux. Research and background materials were completed in April, 2013. NO CLAIM TO US GOVERNMENT WORKS NO

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## Introduction

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You are probably reading this book because you love to ride motorcycles, because you are curious about motorcycles, or because you have been involved in a motorcycle accident.

If you have been involved in an accident, I am genuinely sorry for your pain and anxiety and I want to help make it as easy for you as possible. It is absolutely critical that you have the right person serving as your attorney in this situation.

As an attorney, I want to help you avoid accidents before they occur and prepare you if they do occur.

**This book contains 200 riding tips organized in a friendly manner on:**

- How to prepare yourself and your bike before you begin your ride
- How to handle your motorcycle while you are riding, including; how to ride in bad weather, how to handle poor road surfaces, how to make sure you are seen, and a variety of other riding issues
- How to drive with passengers and with groups
- How motorcycle riders should anticipate cars and trucks; and
- Other tips

The book also explains the insurance that motorcyclists need and should have, including the basic requirements (according to state of residence or license) We are successful personal injury attorneys because I have put

together

a team of professionals who are all dedicated to the successful resolution of every case we handle.

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**Questions to ask a prospective attorney:**

1. How long have they been in practice?
2. Is their practice focused on Injury cases?
3. Do they list examples of Settlements and Verdicts on their website?
4. Do they ACTUALLY take cases to trial?
5. Have they been recognized for achievement?
6. Are they actively connected with the community? (Remember a good lawyer must be able to connect with the good men and women of their community who serve on juries.)
7. Do they have resources to handle litigation?
8. Do they maintain an extensive website showing their history, credentials, and success?

One of the most important things – if you are involved in a motorcycle accident – is that you get an attorney on your side as soon as possible. Most attorneys offer an initial, no-obligation, no cost consultation. Whether you call me or another attorney; if you have been involved in a motorcycle accident, call and schedule your appointment right now.

## Chapter One

### **Causes of Motorcycle Accidents**

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There are several common causes for motorcycle accidents. Whether you are a motorcycle rider or not, we would like you to take the time to read this, so you can practice safety while on the road.

Here are the 5 most common causes for motorcycle accidents:

- 1. Other Vehicles:** Three out of every four motorcycle accidents are caused by another vehicle on the road. There are a lot of times when car/truck drivers don't even see the motorcycle. If you are a driver on the road: WATCH FOR MOTORCYCLES!
- 2. Cyclist Braking to Avoid and Accident:** In many instances, rather than practicing defensive driving, or swerving to avoid an accident, cyclists will rely on their rear brake to avoid the accident. This can cause more damage. That is why it is SO important to take the required riding course.
- 3. Alcohol Use** ~~been~~ fact that alcohol use impairs judgment, even if it is "just a little." Neither cyclists, nor any driver behind the wheel, should drink and drive. Drinking and driving kills.
- 4. Inexperienced Drivers:** Over half of all motorcycle accidents occur within the cyclists' first 5 months. If you are a new driver, please take it slow and try to get some experience before driving at high speeds, in groups, or bad weather conditions.
- 5. External Causes:** Potholes, animals running out in front of a driver, weather conditions, and many other causes are simply unavoidable. That is why it is SO important to be extra-safe when the weather gets bad or if you are in unfamiliar territory.

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The 1981 Harry Hurt Report (a motorcycle study conducted between 1976 and 1981 and initiated by the National Highway Traffic Safety Administration) confirms these five causes and highlights a few additional concerns.

- o **Typical errors:** A "slide-out and fall" due to over-braking or running wide on a curve due to excessive speed or under-cornering
- o **Right-of-way violation by other driver:** In two-thirds of multiple-vehicle accidents, the driver of the other vehicle violated the motorcycle right-of-way and caused the accident
- o **Proper gear helps.** Additional findings show that wearing appropriate gear, specifically; helmets and durable garments, substantially reduce serious crash injuries.
- o **Puncture flats:** Puncture flats are the most typical single-vehicle failure.
- o **Motorcycle conspicuity:** Failure of motorists to detect and recognize motorcycles in traffic is the predominant cause of motorcycle accidents. Headlights, loud horns, and high visibility and reflective clothing help.

A European study, the MAIDS (Motorcycle Accidents in Depth Study of 2009) report, on motorcycle crashes (the study included scooters and "light" motorcycles) confirms these causes and adds a few:

- o **Visual obstructions:** Example: Blind corner, parked truck.
- o **Driving too fast for experience and conditions**

## Chapter Two

### Why Motorcycle Accidents are Especially Dangerous

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Motorcycle riding can be quite exhilarating and is enjoyed by many. Exhilaration can create a great danger risk as well.

The primary reason motorcycle accidents are dangerous is because the motorcyclist and motorcycle passengers, if any, have little protection compared to automobiles and trucks. The typical driver/passenger in an automobile or truck is protected by the body of the vehicle, the interior of the vehicle, safety bags, and other security devices. The motorcyclist is directly exposed.

The US National Highway Traffic Safety Administration (NHTSA) reported that in 2006, out of 100,000 registered passenger cars, 13.10 ~~56~~ fatal crashes.

motorcycles, there were 72.34 fatal crashes (5-6 times higher than cars). The average risk, per passenger mile traveled, is 35 times greater for a motorcycle driving than passenger car driving.

Based on those statistics alone, you can see that more people are killed in motorcycle accidents per year, than in any other type of automobile accident. Also reported by NHTSA was that these numbers increase each year.

## Chapter Three

### Types of Injuries Common to Motorcycle Accidents

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#### Consequences of Accidents

**Concussion, brain damage, and facial disfigurement:** This occurs when the head violently contacts other vehicles or roadside fixtures like lamps, fences, signs or road barriers. According to a New York Times article by Matthew Wald (September 12, 2007. "Rise in Motorcycle Deaths Renews Helmet Law Debate"), wearing an approved helmet reduces the risk of death by 37%.

**Broken Joints:** The most common breakages are the shoulder and the pelvis. Additional joints at risk are the elbows, hips, knees, ankles and wrists. The fingers, spine, and neck are also susceptible to severe injury along with the loss of limbs.

**Soft tissue:** Proper motorcycle protective clothing helps prevent skin and muscle damage and road rash as the body slides across the road surface when you have an accident. **Biker's Arm:** This injury results when the nerves in the upper arm are damaged during the fall, causing a permanent paralysis of arm movement. According to the Hurt Report (page 8), the likelihood of injury is extremely high for serious motorcycle accidents:

- 98% of multiple vehicle collisions resulted in some kind of injury to the motorcycle rider(s);
- 96% of single vehicle accidents resulted in some kind of injury to the motorcycle rider(s);

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- 45% resulted in more than a minor injury

## Chapter Four

### Types of Insurance Coverage Options for Motorcycle Owners

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#### Get Insurance!!!

We at Brooks Law Group feel it is SO important to have whatever insurance you possibly can to protect yourself. This is even more important these days due to the fact a lot of drivers on the roads have NO INSURANCE because of the poor economy along with the lack of enforcement.

The most common misconception by motorcycle owners is they believe they will be covered by their auto insurance or by the other driver's insurance if they are involved in a motorcycle accident. However, THIS IS

NOT TRUE!! I bet you didn't know that in Florida, insurance is not required for the owner and/or rider of a motorcycle.

I bet you also didn't know that the Med Pay or PIP coverage a motorcycle owner may have on his car will not cover the owner if injured in a motorcycle accident. Also, for most sponsored/organized

rides, you are required to sign a release for the "ride sponsors," so if anything were to happen, and you don't have your own insurance, there will be no coverage for your injuries.

The key here is to make sure you have the right type and the right amount of insurance coverage. The five types of motorcycle insurance coverage you need to know about are:

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1. Property Damage (PD): Comprehensive, Collision
2. Bodily Injury Liability (BI), and
3. Uninsured Motorist Coverage (UM)
4. Medical Payments (MedPay)

## Insurance Coverage by Type

### 1. Property Damage (PD)

**If you're liable for an accident** (it was your fault), PD pays the victim's property damage.

**If you're the victim** – the other driver's PD insurance will pay for damage to your motorcycle (state laws require motor vehicles to carry 10k). Property damage is the damage to the vehicle. It is not damage to the person.

Comprehensive

Comprehensive insurance covers damage to your motorcycle other than an auto accident (for example: fire, theft or vandalism). The insurance company's obligations are limited by the amount of the deductible. A \$100 deductible means you pay the first \$100; the insurance company pays the rest.

Collision

Collision insurance covers damage to your motorcycle as a result of a collision with another vehicle. The insurance company's obligations are limited by the amount of the deductible.

Property damage insurance is an option for motorcycle owners. We, at Brooks Law Group, suggest you get Property Damage insurance.

## **2. Bodily Injury Liability (BI)**

**If the other person is at fault**, the bodily injury insurance of the person who caused the accident pays for your medical bills, lost wages and pain and suffering ONLY IF:

- They have bodily injury insurance AND
- The insurance limits of the at-fault party's insurance are less than the total medical bills, lost wages and pain and suffering amount
- If the at-fault party doesn't have insurance or if the bills exceed the insurance limits then your uninsured motorist coverage, if any, pays

Bodily Injury insurance is an option for motorcycle owners. We, at Brooks Law Group, suggest you get Bodily Injury insurance to pay for bodily injury damages of the party not at fault if an accident is your fault. Also, in Florida if you desire to purchase UM coverage, you must already have BI coverage.

## **3. Uninsured Motorist Protection and Underinsured Motorist**

### **Coverage (UM)**

If you're not at fault and the other side (the one at fault) doesn't have insurance (for whatever reason), then you need uninsured motorist coverage to collect for your medical bills and lost wages and for pain and suffering.

If you're not at fault and the other side (the one at fault) has insurance but it's not enough to cover your medical bills, lost wages and pain and suffering – then you need underinsured motorist coverage to pay the

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difference between what you're entitled to and the amount of insurance the at-fault side does have.

### **4. Medical Payments (MedPay)**

This coverage pays the cost of necessary medical care you receive as a result of a motorcycle accident and can be used regardless of who is at fault. MedPay often is limited to medical treatment received within the first three years after an accident and is limited to a specific dollar amount. In some states, MedPay only applies after other medical insurance is exhausted.

## **Additional Insurance Considerations**

**Stacked Insurance** Stacking insurance means adding coverage limits for multiple vehicles

together to produce a higher limit. If you have two vehicles and \$20,000 in coverage for each vehicle, your total coverage would be \$40,000, no matter which vehicle you were driving when an accident occurred.

Generally, stacking is reserved as an option for UM (Uninsured Motorist coverage) only. This option is very complicated. Please consult with your insurance company for advice on whether this option is available to motorcycle owners and how it applies.

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## Chapter Five

### **Suggested Amounts of Insurance Coverage for Motorcycle Owners who choose to have Insurance**

#### **Insurance Options**

Motorcycle owners and operators are not required to have insurance in the state of Florida.

You are required to have \$10,000 minimum **Med Pay** coverage if you are under the age of 21 **OR** do not wear a helmet.

When you are over the age of 21, coverage for drivers or riders can be provided by a health insurance policy or medical payment coverage on a motorcycle policy. You are required to have **Property Damage and Bodily**

#### **Injury** insurance

IF:

- You were found to be at fault for a previous accident where injuries occurred. Florida Statute, 324.021
- Your license or registration was revoked or suspended for any reason including (but not limited to) a serious offense (driving or non-driving), a Driving While Intoxicated or a Driving Under the Influence conviction, motor vehicle violations, and failure to pay a civil judgment due to a motor vehicle accident. Florida Statute, 324.023

Please consult with Brooks Law Group if there's any reason to believe Florida deems you a bad driving risk. You may be required to carry motorcycle insurance if Florida thinks you are a bad risk.

**Brooks Law Group recommends you get Motorcycle Insurance in the following amounts:**

**1. Med Pay**

- None required unless you qualify under one of the exception categories (mentioned on the previous page)

Minimum Advised - \$10,000

**2. PD Insurance**

- None required unless you qualify under one of the exception categories (mentioned on the previous page)
- Minimum Advised- \$10,000

Required if you qualify under one of the Florida Statute 324.011 exception categories - \$10,000 minimum for property damage

**3. BI (Bodily Injury) –**

- None required unless you qualify under one of the exception categories (mentioned on the previous page)

Strongly advised -\$100,000 for bodily injury or death to one person and \$300,000 for bodily injury or death to two or more people

- Required if you fall into one of the exception categories: a minimum of \$10,000 for bodily injury or death to one person and \$20,000 for bodily injury or death to two or more people

**4. UM (Uninsured Motorist or Underinsured Motorist)**

- a. None required
- b. Strongly Advised - \$100,000/\$300,000
- c. Minimum Advised-\$10,000

## Types of Motorcycle Insurance

1. **Insurance from an Authorized Florida Insurance Company.**
2. **Insurance by Surety Bond or Security** - Motorcyclists can also obtain a Financial Responsibility Certificate from the Florida Bureau of Financial Responsibility by posting a surety bond or by depositing an appropriate amount of cash or securities. **Self-**
3. **Insurance** - Motorcyclists can self-insure by obtaining a Self-insurance Certificate from the Bureau of Financial Responsibility by providing satisfactory evidence of possessing a net unencumbered capital.

## Insurance Rates – Factors

Some, but not all, of the factors that affect insurance rates include:

- The amount of the deductible
- The total amount of coverage
- The driver's age
- Geography – for example, whether the motorcyclist lives in a rural, suburban or urban area.
- Type of vehicle- motorcyclists have different insurance rates than passenger cars

Daily mileage use

Driving record – accidents and traffic citations

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## Chapter Six

### Florida Motorcycle Owners' Operating Requirements

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**Florida Motorcycle Driver Requirements** (The legal requirements are set forth in the Florida Motor Vehicle Code). Some of these requirements are:

- Daytime use of headlights
- Eye Protection
- No earphones allowed (helmet speakers are allowed)
- Car and motorcycle: The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken and no person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles
- Two motorcycles (no more) can occupy the same lane
- A muffler
- A left or right mirror
- A passenger footrest and seat are required for passengers
- Safety helmets: helmets are not required for riders the age of 21 or over with a minimum of \$10,000 in medical insurance otherwise, a **DOT approved helmet is** required. [Helmets are recommended] If you cross state lines you should know the helmet regulations for the other state(s)
- State Funded Rider Education: Effective July 1, 2008 all first-time motorcycle license or endorsement applicants must complete and pass a BRC (Basic Rider Course)
- Working Turn Signals

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### **Two Wheeled vehicles defined:**

#### **Motorcycle** - Your vehicle is a motorcycle if it is:

- A two-wheeled vehicle with an engine displacement of more than 50cc having a seat or saddle for the use of the rider, and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor, tri-vehicle, or moped.
- A trike is a motorcycle

#### **Mopeds**—Your vehicle is a moped if it has:

- A displacement of 50cc or less (if it has an internal combustion engine)
- A motor of two-brake horsepower or less
- A seat
- An automatic power-drive system
- Pedals that allow you to propel the vehicle
- The ability to go no faster than 30 mph
- Three or fewer wheels

#### **Scooters** – Your vehicle is a scooter if it has:

- No seat or saddle
- Three or fewer wheels
- The ability to go no faster than 30 mph

## Chapter Seven

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### Riding Tips

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Many motorcycle accidents are fatal accidents to the drivers and passengers on motorcycles, because they are often thrown from the motorcycle and experience massive traumatic injury on impact.

Brooks Law Group handles wrongful death claims in car, truck, and motorcycle accidents to compensate families of victims of deadly traffic accidents. While we are experienced in providing compassionate legal representation to grieving families, we wish families did not have to go through pain of losing a loved one in an accident.

There are many ways fatal motorcycle accidents may be prevented. These safety precautions apply to both motorcycle riders and to drivers of passenger vehicles.

## Things to Know Before You Ride

### **General strategies**

#### **Inexperienced Riders**

**1. Practice** – Ride regularly and mentally go through your own safety checklist each time you ride. **Check motorcycle before each ride.**

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**2. Anticipate** - Anticipate the mistakes of other drivers. For example, anticipate doors opening when there's a traffic jam or you're driving near parked cars. **Do not assume they see you, assume they do not.**

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**3. Identify Potential Hazards** - Know how to react if you encounter one. **4.**

**Take rider safety classes** - In a controlled off-street environment. **5. Talk to other riders** - Consider joining a motorcycle organization where you can talk face to face with other riders and/or joining an online forum where you can review questions and answers on motorcycle topics.

**6. "Google"** online motorcycle topics for information. **Contact the Motorcycle Safety Foundation (MSF)** for up to date information and riding safety tips.

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## Preparation

### **Equipment Issues –Self**

#### **All Riders (Experienced and Inexperienced)**

##### **7. Be Sober. DON'T DRINK AND DRIVE.**

According to recent studies in Florida and the NHTSA:

- Having any alcohol in your body increases the chance of crashing by five times.
- Having a BAC (Blood Alcohol Content) greater than 0.05% increases the risk of crashing about forty times.
- 46 % of all motorcyclists killed in crashes were using alcohol.
- 25% of all fatal alcohol-related motorcycle crashes involve motorcyclists running off the road, overturning, or falling from the motorcycle rather than striking another object

#### **Inexperienced Riders**

##### **8. Know your own body.** Don't ride when you're tired. Be in shape.

Operating a motorcycle is exercise. Make sure you're healthy before you ride.

##### **9. Drink non-alcoholic fluids** before you operate a motorcycle so you're properly hydrated and don't have to reach for liquids while driving.

##### **10. Helmets** - Although adult motorcycle riders in Florida are not required to wear helmets, wearing one can save your life. Buy one that fits. Fasten the helmet strap. Make sure it says it is US Department of

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Transportation (DOT) compliant. Helmets should be snug, but not too tight as to cause headache or discomfort. If they are DOT compliant they are stamped "DOT" on the back or inside.

**11. Wear proper clothing.** It should be bright and reflective. **12. Wear goggles, a full-face visor, or a shield on your helmet to keep flying objects away from your eyes.** The eye protective gear should be unscratched. Make sure your non-road eye vision is 20-20 with or without corrective lenses.

**13. Vests** - Consider wearing a contrasting color vest so you can be seen easier.

- -

**14. Headsets- Earphones are not allowed. Headsets are not allowed unless:**

- The headset is installed in a helmet and worn to prevent the speakers from making direct contact with the driver's ears so that they can hear surrounding sounds.
- The headset is used in conjunction with a cellular telephone that only provides sound through one ear and allows surrounding sounds to be heard with the other ear.

**15. Gloves** - Wear gloves that allow you to maintain your grip and control on the handlebars. Some come with the fingers slightly curved or slightly cut off. Gloves should not be too tight.

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**16. Boots** - Wear over the ankle boots with heavy rubber soles. **17.**

**Jackets** - While a tough leather is good there are now a variety of light, waterproof and warm-weather fabrics that provide protection. Some of these fabrics are Cordura, Kevlar and Ballistic nylon. You can also wear denim and corduroy (basically protection from "road rash").

### **Equipment issues – Motorcycle**

#### **Inexperienced Riders**

**Additional equipment checks.** **18. Pick the right motorcycle.** Beginners should pick lighter motorcycles. Feet should reach be flat on the ground when you're sitting. Bikes can be lowered if needed, or adjusting shocks may help.

**19. Know all the controls before you ride.** Adjust everything so it's within proper reach. Be especially aware of the reserve fuel valve and the engine cutoff switch.

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#### **20. Use Reflective strips on your motorcycle.**

**21. Airbags** - Some vendors are now adding airbags as a feature. Consider getting one the next time you buy a bike.

**22. Horn** - Make sure it consistently works and be prepared to use it. It should be loud.

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**23. Music** - Keep it low so you can hear sirens, horns, and other vehicles.

**24. Sound** - Make sure you're heard and you can hear. Florida has specific laws on headsets, headphones and other listening devices. Florida Statutes 316.304 - Wearing of headsets. You need to be able to hear around you. Rev your engine when approaching another vehicle to make them aware of you.

**25. A first aid kit** – you will want to have this handy for any minor cuts and scrapes that happen as a result of the accident, but remember if you are injured, BE SURE TO CALL 911 (if you are able to). **26. Have a tool bag for your motorcycle – especially for longer trips.**

## **All Riders (Inexperienced and Experienced)**

Remember the T-CLOCS checklist (provided by the Motorcycle Safety Foundation) Here's the full checklist. [http://www.msf-usa.org/downloads/T-CLOCS\\_Inspection\\_Checklist\\_2012.pdf](http://www.msf-usa.org/downloads/T-CLOCS_Inspection_Checklist_2012.pdf)

**T-CLOCS is an Acronym.**

### **T- Tires and Wheels**

**27. Tires** – Check the condition (treads, wear, and embedded objects) and the air pressure (use an accurate tire pressure gauge). Know proper pressure for single rider and/or with a passenger.

**28. Wheels** – Check the spokes, safety cotter pins, cast, rims, bearings, and seals.

**29. Brakes** – Each brake by itself should keep the motorcycle from rolling. Check the brake pads too. (Front and rear; rear especially)

### **C-Controls**

**30. Handlebars** - The handlebars should turn freely. Also, the grips and bar ends should be secure.

**31. Levers and Pedals** - They should be properly adjusted, properly lubricated, and free of cracks or defects.

**32. Cables** - Check the cables for any kinking or stiffness. They shouldn't have any interference when pulling at the steering head. There shouldn't be any sharp angles and the wire supports should be in place.

**33. Hoses** - They shouldn't have any interference when pulling at the steering head. There shouldn't be any sharp angles and the hose supports should be in place.

**34. Throttle** - The throttle should move freely, the snaps should be closed, and there should be no revving when handlebars are turned.

**L- Lights and Electronics** Make sure you can see at night and that you can be seen by others. Dusk (the transition from light to dark), is the worst time.

**35. Batteries** - Terminals should be clean and tight. The electrolyte level should be correct. Battery should be secure. The vent tube should be routed properly.

**36. Lights** - Headlights, tail lights, and brake lights should be mounted properly, clean and tight. The tail lights and brake lights should activate on front/rear brake application.

**37. Turn Signals** - Should flash correctly

**38. Switches** - Should function correctly.

**39. Mirrors** - Should be mounted tightly, clean, and adjusted when seated on the motorcycle.

**40. Lenses and Reflectors** - Should be securely mounted and free of cracks or breaks.

**41. Wiring** - **Shouldn't be frayed or chafed.** There should be no interference or pulling at steering head or suspension.

## **O- Oils and Other Fluids**

**42. Levels** - Check to make sure you have the right kind and the proper levels for the engine oil, hypoid gear oil, shaft drive, hydraulic fluid, coolant and fuel.

**43. Leaks** - For all the fluids where you check the levels – also check for leaks in all relevant materials: gaskets, sealers, breathers, hoses, cylinders, calipers, radiator, pipes, tanks, fittings, fuel valve, lines and carbs.

### **C- Chassis**

**44. Frame** - Check for gusset cracks. Check the accessory mounts and look for paint lifting. Examine the steering-head bearings. Examine the swing arm bushings/bearings.

**45. Suspension** - Check the front forks and rear shocks. **46. Chain/Belt** -

Check to make sure the tension is right. Check the sprockets and check that the side plates aren't hot. Do not lubricate the belt.

**47. Fasteners** - Make sure they're properly threaded and that there aren't any missing belts or nuts. Check the clips and copper pins.

### **S- Stands**

**48. Side and Center Stand** - Check that there are no cracks and that it's not bent. Check that the springs are in place and that the tension holds the position.

**49. Loading up the Motorcycle.** Tie everything besides yourself to the motorcycle. Some bikes make it easy since they're preloaded with saddlebags or a travel trunk. **DO NOT EXCEED THE GVWR (Gross Vehicle**

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Weight Rating) for your motorcycle. It is written in pounds, and it includes the weight of the motorcycle, all gasoline, oil and coolant, the rider(s), and the luggage. This information is in your owner's manual and available online by your vehicle manufacturer (if pre-owned).

## **Items to carry with you when you ride**

### **Inexperienced Riders**

#### **50. Owner's Manual**

We suggest that you keep most of these items in a plastic Ziploc bag (that way, if you are unconscious at the scene, it will be easy for the police to have access to it):

#### **51. Your cell phone with the Brooks Law Group auto accident app.**

Please make sure you contact Brooks Law Group about how you can install the Brooks Law Group auto accident app on your mobile devices including your cell phone. Be sure your cell phone is properly charged before you take a trip.

**52. Proof of Insurance** – It is important to have this as you will need to exchange your insurance information (if you have insurance) with the other driver involved (if any) and you will need to present this to the police officer called to the scene.

**53. A note pad and pen** – In the confusion of an accident, you will want to make sure that you jot down any important information needed like the other drivers contact information and insurance information.

**54. Any necessary phone numbers** – It is important to have these numbers on hand so you have a plan in place regarding where you want your vehicle towed, a relative to call...etc. (insurance company, roadside assistance, a tow truck, your preferred auto body shop or a cab or rental

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car service from the accident site, and the number for the Brooks Law Group!!!).

**55. A flashlight** – If the accident occurs at night, and your motorcycle is hit so bad that the battery doesn't work anymore for your headlights or taillights, or you are in a dark area, it is extremely important to have a flashlight on you so you can easily see if anyone is injured badly and any other needed light (be sure to have good working batteries for the flashlight).

**56. A duffel bag** – this won't fit in the Ziploc bag, but it is very important to have if your vehicle is towed and you want to take your personal belongings with you if you have an accident (CD's, GPS, sports gear...etc.)

**Motorcycle organizations- It's a good idea to join or, at least look at the websites, of relevant motorcycle associations**

### **Inexperienced Riders**

**57. Federal.**

- The American Motorcycle Association can be found at
- <http://www.americanmotorcyclist.com>
- The Motorcycle Safety Foundation can be found at  
<http://online2.msf-usa.org/msf/Default.aspx>  
The Motorcycle Riders Foundation can be found at  
<http://www.mrf.org/>

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**58. Local** - Florida has a variety of motorcycle organizations. Look for a local one.

**59. Forums** - Many organizations have online forums where you can review questions and answers and post your own questions – on any relevant motorcycle topic.

## Rules of the road

### All riders (Inexperienced and Experienced)

**Be alert to Florida rules** The Florida Motor Vehicle Code Laws apply to ownership and operation of a Motorcycle. Some of the key provisions (you're obligated to know them all) of the Florida Motor Vehicle Code are:

**60. Motorcycles and mopeds - Rights and duties.** Any person operating a motorcycle or moped shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of any other vehicle under this chapter; except as to special regulations in this chapter and except as to those provisions of this chapter which by their nature can have no application. Florida Statutes, 316.208 (1)

**61. Operating motorcycles on roadways for traffic.** All motorcycles are entitled to full use of a lane and no motor vehicle shall be driven in such manner as to deprive any motorcycle of the full use of a lane. This subsection shall not apply to motorcycles operated two abreast in a single lane. Florida Statutes, 316.209 (1)

**62. Speed Limits.** Lower speeds save lives and also help give you more reaction time.

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## **Road Requirements**

**63. These requirements were set forth in Chapter Five (5). They bear repeating.**

- **Daytime use of headlights - Florida Statutes 316.405**
- **Eye Protection - Florida Statutes 316.211 (2)**
- **Handlebar Height. No higher than top of shoulders of the operator when seated upon the motorcycle. Florida Statutes, 316.2095 (2)**
- **No earphones allowed. Helmet speakers are allowed. Florida Statutes, 316.294**
- **Lane Splitting**
  - Car and motorcycle: The operator of a motorcycle shall not overtake and pass in the same lane occupied by the vehicle being overtaken. No person shall operate a motorcycle between lanes of traffic or between adjacent lines or rows of vehicles. Florida Statutes, 316.209 (2), (3);
  - Two motorcycles (no more) can occupy the same lane. Florida Statutes, 316.209 (1), (4)
- **A muffler- Florida Statutes, 316.272**

- **A left or right mirror - Florida Statutes, 316.294**
- **Passenger footrest and seat required for passengers. Florida Statutes, 316.2095; Florida Statutes, 316.2085**
- **Safety helmets. Helmets not required for riders 21 and over with a minimum of \$10,000 in medical insurance; Florida Statutes, 316.211 (1), (4) When crossing into other states you must know the helmet requirements**
- **State Funded Rider Education.** Effective July 1, 2008 all first-time motorcycle license or endorsement applicants must complete and pass a BRC (Basic Riders Course) Florida Statutes, 322.12(5)(a)
- **Working Turn Signals Required; Florida Statutes, 316.222 (2)**

**64. Ride in the right place:** Motorcyclists need to remember to stay out of blind spots, never ride tandem in one lane, and stay out of the right lane on multi-lane highways, if possible. Taking these measures can minimize the risk of being struck by a merging vehicle.

## Riding methods

The Motorcycle Safety Foundation Motorcycle Operator Manual provides guidance for riding solo, with a passenger or in a group.

[http://www.msf-usa.org/downloads/mom\\_v16\\_color\\_hi\\_res.pdf](http://www.msf-usa.org/downloads/mom_v16_color_hi_res.pdf)

### SOLO

#### **All Riders (Inexperienced and Experienced)**

**65. You're the one solely responsible for anything that happens.**

### WITH A PASSENGER

#### **Inexperienced Riders**

**66. Make sure your motorcycle is designed to carry passengers**

**67. Your passenger should be aware of all the rules and tips that you are.**

**68. Be aware that the passenger may bump into you – especially when braking.**

**69. A passenger changes how you drive.** Know that the extra passenger alters the handling characteristics such as braking and turning.

**70. Pre-ride test** - Try a pre-ride test on safe roads or a parking lot to make sure you and the passenger are comfortable and all the settings are right.

## **All Riders (Inexperienced and Experienced)**

**71. Passengers should lean when you lean.** Depending on whether it's a motorcycle or a trike and on balance compensation - sometimes passengers will lean the same way; sometimes the opposite; sometimes they will lean into the driver; sometimes they don't lean at all. Weight distribution is a factor.

**72. If the passenger is a child:**

- Comply with Florida Law
- Make sure:
  - That the child is mature enough
  - That the child can reach the footrests
  - Has a proper helmet and protective gear
  - Holds onto you or the passenger hand-holds
  - Remains still and seated

**73. Equipment checks.** A passenger means extra weight. Check your owner's manual for the proper inflation specifications for your tires; for any required adjustments to the suspension settings; for any change to your headlight direction (since a passenger may change the tilt of the bike, depending on their weight and how much they tilt).

**74. Ensure passengers follow safety procedures:**

- Hold operator's waist or hips or passenger hand-grips
- Keep feet on footrests at all times, including while stopped
- Keep hands and feet away from hot or moving parts
- Have proper protective gear

**IN A GROUP**

**Inexperienced**

**73. Plan route and rest stops in advance.**

**74. Assign a lead rider and a tail-end rider**

**75. Have a manageable number of motorcycles in the group. (5 to 7 is a good group size).**

**76. Don't ride side-by-side.**

**77. Have a plan if a rider gets separated.**

**78. Take timely breaks.**

**79. Speeds** – If necessary form two groups with two different speeds.

**80. Proper distances** – Maintain proper distance between riders to avoid hard breaking.

**81. Mirror** - Check your mirrors frequently to make sure the group stays together.

## All Riders (Inexperienced and Experienced)

**82. Ride in a staggered formation.** The group leader rides in the left side of the lane, and the second rider stays at least one second back and rides in the right side of the lane. The third maintains the left position of the lane, at least two seconds behind the first rider. The same strategy applies for the rest of the formation. If traffic conditions necessitate single formation, the leader should establish hand signals to pass information back along the group.

**83. Passing in formation.** While you want to try to pass as a group – you have to pass one rider at a time to make sure each rider is sure he/she can properly pass. As each rider passes they should stay in the left side of the line (to resist the temptation to pass too quickly by pulling to the left of the rider who just passed). Once all riders have passed, return to a staggered formation.

**84. Parking** - Park in a group. Don't park downhill. Park so the group can leave in a single file.

**85. Intersections** - Tighten the formation to let as many members of the group as possible go through the intersection. Don't go side-by-side. Go single-file. Sometimes all riders might not get through. In that case, the

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riders who got through on the first attempt should stop at a safe point and wait for the latter riders.

### **86. Hand signals - Positioning**

Use proper handle signals. Some of the more common hand-signals for motorcyclists are:

- Single File
- Double File
- Stop
- Speed Up
- Slow Down
- Follow Me
- You Lead

### **87. Hand signals - Additional signals.**

- Hazard in Roadway
- High-beam
- Fuel
- Comfort Stop
- Refreshment Stop
- Turn Signal
- Pull off

**88. Least experienced rider rule.** Base the trip and all segments on the experience level of the least experienced rider. Usually, this rider is positioned near the back of the group.

**89. Least experienced rider – second rule.** Where to position the least experienced rider should be a group decision. Usually this rider is positioned near the back of the group. A mistake by an inexperienced rider can cause a chain reaction.

### **LONG TOURS**

#### **All Riders (Inexperienced and Experienced)**

**90. Prepare your motorcycle.** Inspect your motorcycle and give it a tune-up.

**91. Prepare yourself.** Bring gear for all weather possibilities. Know your physical limits – stop if you feel tired.

### **The Weather**

#### **All Riders (Inexperienced and Experienced)**

#### **Know your limits as a rider!!!**

**92. Stopping a motorcycle is tough in bad weather.** Allow for more stopping distance.

### **Night-time Driving**

#### **Inexperienced Riders**

**93. Dusk** - Know that dusk is the worst time to ride because it's tougher to see. Make sure your lights are working properly.

**94. Reduce your speed.**

**95. Give yourself more room to stop**

### **All Riders (Inexperienced and Experienced)**

**96. Use the lights of the car ahead.** Car headlights are usually better than your motorcycle. And the car's tail-lights can help you see.

**97. If you're not following a car – use your high beams.**

**98. Make absolutely sure your face-shield is not scratched to avoid light refraction.**

### **Rain**

#### **Inexperienced Riders**

**99. Avoid puddles** – they can have hidden dangers like potholes and can cause hydroplaning.

**100. Stay away from oil (red and blue rainbows on the road are a clue).**

#### **All Riders (Inexperienced and Experienced)**

**101. When it starts to rain, try riding in the tire tracks left by cars.**

**102. Keep your bike more upright especially in the turns. It is also suggested to stay away from the center of the travel lane on a wet road and/or dry road because that is where the oil accumulates from other vehicles.**

For more rain tips try this site:

<http://www.ridermagazine.com/motorcycle-features/safety-tips-for-motorcycle-riding-in-the-rain.htm/>

### **Wind**

#### **All Riders (Inexperienced and Experienced)**

**103. Figure out where the balances are between where the wind wants you to go and where you want to go so you can compensate.**

**104. If you are caught riding in strong or severe winds, you should steer into the wind as much as possible and keep a good grip on the handlebars, a firm planting of your feet on the pegs and keep your arms and shoulders flexible.**

For more wind tips try:

[http://www.motorcyclistonline.com/howto/122\\_0604\\_motorcycle\\_riding\\_tips\\_wind\\_gusts/](http://www.motorcyclistonline.com/howto/122_0604_motorcycle_riding_tips_wind_gusts/)

### **Cold**

#### **All Riders (Inexperienced and Experienced)**

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**105. Be prepared.** Be prepared for ice, sand and salt on the roads, falling leaves and mostly the brutal cold. Dress in layers. Wear warm gloves and boots. Consider heated garments, a full-faced helmet and getting out of the cold if you can't manage.

### **Electrical storms**

## **All Riders (Inexperienced and Experienced)**

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**106. Avoid trees and open fields.**

**107. Keep the 30-30 rule in mind:**

- If the time between lightning and thunder is 30 seconds or less, seek shelter.
- Wait at least 30 minutes after hearing the last thunder before leaving the shelter.

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## Things to know while driving

### Animals

#### All Riders (Inexperienced and Experienced)

**110.** Avoid hitting animals in the road. Though keep in mind that running over a small animal is better than hitting a car.

**111.** If a dog is chasing you slow down, including braking, and until after the dog has stopped or changed course, and then accelerate.

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### Body position

#### Inexperienced Riders

**112. Posture** - Your arms should be used to steer the motorcycle, not to hold yourself up.

**113. Seat** - When you hold the handgrips your arms should be slightly bent. Bending your arms allows you to press on the handlebars. So sit where you can comfortably bend your arms slightly. **114. Hands** - Use a

firm grip so you don't lose control over rough surfaces. Keep your right wrist flat so you don't use too much throttle.

**115. Knees** - Keep your knees against the gas tank but away from exhaust pipes, to help you keep you balance in turns.

**116. Feet.** Keep them on the footrests while in motion. Don't drag your feet. Keep your feet near the controls and avoid pointing out especially while cornering.

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## Braking

### Inexperienced Riders

**117. Aim** - The aim of braking is primarily to slow you down, not to and eventually stop.

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**118. Front Both Brakes** - The front brake supplies about 70% and the rear brake supplies about 30% of the potential stopping power. Using both brakes together is the most effective way to slow and stop, without locking either brake.

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**119. The key factors in braking** are the road surface grip, your tires and the weight distribution of your weight on the bike.

**120. Rear wheels** - The rear wheel has little weight. You only have to touch the rear brake slightly before the wheel locks. Brake lock – If your front brake locks up, immediately release and reapply with slightly less pressure. If your rear brake locks up, keep pressure on it and ride it out.

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Releasing the rear brake after it locks could result in a high-side (catapulting you off the bike).

## All Riders (Inexperienced and Experienced Riders)

**121. Hard braking** - You can brake harder if your tires are stickier and there is more weight on the tire, and the surface condition is optimum..

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**122. Weight Distribution.** is key. The weight of the motorcycle itself doesn't matter. It's the weight distribution on your motorcycle weight that matters. Try to keep all weight within the "load triangle," considered from both axles to the top of your head.

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### EMERGENCY

### BRAKING

### TECHNIQUES

These come from (<http://www.lazymotorbike.eu/tips/safety/>)

For most motorcycles (except for cruisers and long touring machines), these are the considerations:

BEAR IN MIND – it takes about 300 feet to stop a motorcycle travelling 60mph. Watch your speed.

### Inexperienced Riders

**123. Anti-Lock Braking Systems (ABS)** - An ABS is designed to insure your wheels don't lock when braking and to provide a reduced risk of skidding. Practice braking with an ABS to get the proper feel. Not all bikes come with ABS, but having ABS can lower your insurance. Other

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special braking systems that may be available are linked brakes and integrated brakes.

## All Riders (Inexperienced and Experienced)

**124. Pull Using the clutch.** So your rear wheel is no longer engaged, and can't "push" the motorcycle anymore. Squeezing the clutch in and keeping it in removes power from the engine to the rear wheel and helps slow the motorcycle.

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**125. Rear Brake** - Stay away from the rear brake. You don't want the rear wheel to lock. The rear brake is found near the right foot rest of most motorcycles (scooters it will be located on the left handgrip). The rear brake provides about 30% of your stopping power and should be used in conjunction with the front brake whenever possible.

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**126. Front Brake.** Start with using the front brake, to "prepare" your motorcycle for braking. Pull (you can pull hard) until you hear a tiny whining noise from the front tire. Then, brake at the maximum. Using this incorrectly can throw you over the motorcycle or cause the back to pass the front! The front brake provides about 70% of stopping power. It is essential to stopping as soon and safely as possible, which can effectively be accomplished by using BOTH BRAKES simultaneously without locking either brake.

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**127. Effective sStoppings** - In case of a light (sports) bike, take care for stoppies (which means that the rear wheel lifts from the ground). In

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case of an unwanted stoppie, gently loosen the front brake. Handling a stoppie incorrectly can throw you over the bike or cause the back to pass the front. All of these are conditionally driven. To stop effectively it is strongly suggested to use BOTH BRAKES simultaneously without locking up either brake. If you lock the front brake, immediately release and reapply with less pressure. If you lock the rear brake, ride it out.

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**128. Be extra-aware of the safe braking distance you need.** And let other drivers behind you have a safe stopping distance. Instead of only slowing, if there are vehicles behind you tap your brakes to activate your brake light so others know to slow. You can use lower gears to slow, but stopping will require a fully squeezed clutch and application of both brakes.

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**129. Be alert to the possibility of swerving instead of braking.** If you feel you cannot stop in time, do not brake and simply swerve without touching the brakes. Try to swerve away from traffic and recover after passing the obstacle, then brake. have to do both – brake first to reduce your speed, then swerve.

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**130. Swerving.** - Swerving is defined as two quick counter steers. Pressing the handgrip slightly in the direction you wish to go and then the opposite direction to straighten. SWERVING IS ACCOMPLISHED BY KEEPING YOUR BODY STRAIGHT, INDEPENDENT OF MOTORCYCLE LEAN. DO NOT USE BRAKES DURING THE SWERVE! Counter steer. When you want to swerve to the right, push down against your right handlebar. When you want to swerve to the left, push down against

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~~your lefthandlebar. Speed and body position, 'steer' the motorcycle too.~~

## Control Issues

### All Riders (Inexperienced and Experienced)

**131. Wet weather or high winds – Increase pressure on handgrips and keep motorcycle as upright as possible, also in loose sand or gravel.**  
**Stay in control.** When things go wrong consider opening up the throttle instead of turning off the power. It allows for better control.

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**132. Riding at Slow Speeds – Use the friction zone (feathering) of your clutch for slow speeds and keep knees against the tank. You can use your rear brake to slow in slow speed tight turns (up to 11mph). For high speeds the front brake is better. For slow speeds consider using the rear brake.**

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## Distractions – Avoidance

### All Riders (Inexperienced and Experienced)

**133. Don't text and drive.**

**134. Don't use a cell phone and drive/ride.**

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**135. Don't eat and drive.**

**136. Don't turn to speak to passengers. Consider intercom systems which are readily available.**

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## Equipment Failures

### All Riders (Inexperienced and Experienced)

**A pre-ride inspection is strongly encouraged each time you ride before you ride. Check tires (and tire pressure), clutch, lights, oils and fluids, chassis and stands.**

**137. Tire Failure** - You'll know more from the way the bike reacts than hearing a sound. A front-wheel flat **severely** affects steering. **Check tire condition and pressure before riding.**

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Regardless of which tire goes flat

- Hold the handgrips firmly. Keep the motorcycle upright.
- Gradually apply the brake to the non-flat tire.
- When the motorcycle slows, go to the side of the ride, squeeze the clutch and stop.

**138. Wobbles** are usually due to improper loads, **low tire pressure**, or bad tires. Make the appropriate adjustments. **Don't try to accelerate out of a wobble, it is better to slow.**

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**139. Stuck Throttle** - ~~Twist it back and forth to try to free it. Roll off the throttle, or away from you. If it is still stuck~~ ~~Otherwise, operate the engine cut-off switch by turning off~~ and pull in the clutch at the same time ~~to slow to a stop and try and fix the throttle.~~ DO NOT ride with a ~~stuck throttle..~~

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## Passing/Overtaking

### Inexperienced Rider

**140. Drive in the part of the lane where you are most visible. Bright clothing is also advisable.**

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**141. Avoid weaving between lanes or traffic..**

**142. Timing** - be two (or more) seconds behind any vehicle you want to pass and be ~~in~~ the left-hand side of the lane. ~~Use your signals, accelerate past the vehicle and return to the lane.~~

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**143. NEVER Don't overtake/pass in a curve. Avoid passing in inclement weather or low visibility.**

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### All Riders (Inexperienced and Experienced)

**144. How to Pass** - From this position check oncoming traffic, check your mirrors, ~~use turn signals~~, and BE SURE TO LOOK OVER YOUR

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**SHOULDER AND CHECK YOUR BLIND SPOT.** Get by the vehicle you're trying to pass as quickly as possible. Return to the original lane by signaling your intention, LOOKING OVER YOUR SHOULDER and making sure the vehicle you overtook has a safe stopping distance. If you have a rider/passenger, have them use hand signals of your intention. **145.**

**When you're being passed.** Stay in the center of the lane. Otherwise you run the danger of being too close to the vehicle that's trying to pass you.

## Riding over something

### All Riders (Inexperienced and Experienced)

**If you have to ride over an object: 146. Hold onto the hand grips tightly.**

**147. Keep a straight course, approach the obstacle at 90 degrees. 148.**

**Accelerate slightly before hitting the obstacle, and roll off the throttle upon contact. Rise up off the seat slightly by standing on the foot pegs to allow your knees to absorb the shock.**

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**149. Pull over and inspect your bike and tires for any damage.**

## Road surfaces (poor)

### All Riders (Inexperienced and Experienced)

Different surface conditions require different braking techniques.

**150. Gravel Strewn Roads** - If riding on gravel-strewn roads slow down as needed and carefully use the brakes.

**151. Railroad Tracks** - When crossing railroad tracks attempt to cross the tracks approaching at a 90-degree angle under normal power, or a little slower if possible.

**152. Metal Grates** - When crossing the occasional "metal grate" bridge as you approach, maintain a steady speed, not slowing nor speeding up, slow down as much as practical, neither on the gas, nor on and avoid using the brakes., and Rride it out as straight up and down as you can.

You must be very careful on these types of bridges. Even in dry conditions they can be slippery, and they are extremely slippery when wet.

**153. Patched pavement** - If you encounter long sections of patched or repaired pavement, ride wherever it looks smoothest, as long as you are steady, not meandering too much. Don't ride along the seams between old and new sections.

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## Shifting gears

### All Riders (Inexperienced and Experienced)

**154. The key controls** - There are three basic controls to operate when it comes to shifting a motorcycle:

- The throttle revs the engine
- The clutch engages and disengages the transmission
- The gear selector shifter picks the gear

**155. The Method.** Proper shifting technique requires the following maneuvers to be performed smoothly and deliberately:

- Roll off the throttle
- Disengage the clutch (squeeze it in) using your left hand to pull it towards you)
- Select the appropriate gear using the shift lever (with your left foot)
- Slightly rev the engine (twisting the throttle with your right hand)
- Gradually release the clutch (and not "popping" it suddenly)
- Feather the throttle while releasing the clutch, which will accelerate the bike
- Roll back on ev the throttle engine for acceleration until another shift is needed

For more on shifting gears see [http://www.msf-usa.org/downloads/mom\\_v16\\_color\\_hi\\_res.pdf](http://www.msf-usa.org/downloads/mom_v16_color_hi_res.pdf)

## Skids

### All Riders (Inexperienced and Experienced)

**156. Front wheel skids** - If you grab hit the front brake hard you're likely to lose front tire traction and it will slideskid. Immediately release the front brake and reapply with less pressure. Remember to squeeze the front brake gradually, do not grab or pull. But if you hit the front brake gradually, any skid should be controllable.

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**157. Rearwheel skids** - If you apply too much pressure to the rear brakeslide, simply ride it out (unless on a loose surface). Because most of the weight is on the front of the bike less weight is on the rear wheel – making it likely to lock up and skid.

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**158. To avoid tire skids, use proper pressure and apply both brakes simultaneously. Stop slowly on loose surfaces. Control of a rear wheel skid** - To control the skid look to where you want to go instead of where you are going.

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## Turns and curves

### All Riders (Inexperienced and Experienced)

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**159. Leaning** - To turn a car you use a steering wheel ~~by turning it the way you want to go. For To turn a motorcycle you need to lean your bike by pressing the handgrip in the direction you want to go. This technique is known as counter steering, and it will lean your bike in the direction you want to go. If you want to go left, press the left handgrip, if you want to go right press the right handgrip. The motorcycle will lean and go in that direction. If you need more turn, press more in the direction you want to go. To get the motorcycle to lean in a normal turn, press the right handgrip to go right; press the left handgrip to go left.~~

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**160. How to\Curves and turning.** For any curve or turn, ~~SLOW by applying both brakes to slow as much as possible, LOOK in the direction you want to go, PRESS the handgrip in the direction you want to go, then ROLL on the throttle to stabilize the motorcycle coming out of the turn.~~ Slow down before you enter the turn. Look as far ahead as possible through the turn. Keep your feet on the pegs, and grip the gas tank with your knees. Lean with the motorcycle. Don't try to sit perpendicular to the road while the motorcycle is leaning over. Keep an even throttle through the turn.

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**161. Stopping in a curve**~~Quick stops~~ - Straighten and square the handlebars, then ~~apply both brakes to stop. If you can't straighten first, apply the brakes smoothly and gradually as you straighten.~~ "As you slow, you can reduce your lean angle and ~~apply more brake pressure until the motorcycle is straight and maximum brake pressure can be applied.~~ Always straighten the handlebars in the last few feet of stopping to maintain your balance and remain upright."

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## Mounting your Motorcycle

### Inexperienced Riders

**162. Mount the motorcycle on the side away from the muffler.** Stay away from any exhaust. Assume the mufflers are hot so you condition yourself to get on the bike on the non-muffler side.

**163. Hold both handgrips as you stand next to the motorcycle.** Hold the front brake lever while you are mounting the motorcycle to make sure the motorcycle doesn't roll. **164. Push the side stand up with your**

**foot, just like you do on a**

**bicycle.** Some riders are more comfortable waiting until they have mounted the motorcycle to put the side stand up. **165. Center Belly**

**stands.** Rock the motorcycle forward so that the

**center belly stand** folds up under it. Do not hold the brake if the **motorcycle** is on a **center belly** stand, as it needs to roll forward slightly.

**166. Keep the motorcycle standing upright as you mount it.** If the bike is leaning it's tougher to balance your weight and the bike's weight. Keep the bike upright.

**167. Foot placement.** Keep one foot planted on the ground as you mount. When you're on the bike put both feet on the ground first to make sure you have good balance.

## Dismounting your motorcycle (Changed the six items)

### Inexperienced Riders

**168. Come to a complete stop.** You should only dismount the motorcycle after you have put on the brakes and stopped moving completely.

**169. Shut off the engine with the engine cutoff switch.** Using the engine cutoff switch is better than using the ignition switch because, if you use the engine cutoff switch, you don't have to take your hand off the grip.

**170. Turn off the ignition switch.** Try to use your left hand so you can keep your right hand on the front brake lever. **Turning off the ignition keeps from draining the battery.** **171. Turn off your fuel valve so you**

**don't leak any gas.** **172. Wait for any passenger to say it's okay to**  
**dismount.** If the

passenger isn't ready for you dismount, the movement of the motorcycle could cause:

- The passenger to fall;
- The driver to fall;
- The motorcycle to fall.

**173. Turn your handlebars full-lock left so the front wheel is NOT pointing straight ahead.** A turned front wheel helps to stabilize the motorcycle **and keep it from falling over.**

After completing steps 168-173,

**174. Dismount the motorcycle**

- A. Secure the motorcycle with the kickstand before you get off the motorcycle**
- B. Foot Placement – Keep one foot on the ground as you dismount C. Keep the motorcycle standing upright as you dismount it for the passenger (if there is one)**
- D. Dismount the motorcycle on the side away from the muffler**
- E. Swing one leg over**
- F. Hold both handgrips as you stand next to the motorcycle**
- G. Make sure the motorcycle is stable.**

**Tips for cars and trucks (From the Motorcycle Safety Foundation)**

**Ten Things All Car & Truck Drivers Should Know About Motorcycles**

**175. Look for Motorcycles.** Though there are less motorcycles than cars and other vehicles you need to look for them.

**176. Motorcycles are closer than they appear (blind spots).** Be aware that motorcycles can be hidden in blind spots or hidden.

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**177. Speed** - Because of its small size a motorcycle may seem to be moving faster than it really is. Don't assume all motorcyclists are speed demons. **Most are very safe riders.**

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**178. Brake Lights** - Motorcyclists don't always stop by activating the brake light. They often slow down by downshifting or rolling off the throttle. So, allow for a 3-4 second following distance.

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**179. Intersections** - Motorcyclists often slow down even if they have the right of way, **since 70% of accidents are from other vehicles entering their right of way at intesections.**

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**180. Turn signals** - Some riders forget to turn off their signals. They don't automatically turn off. Don't assume the motorcyclist is turning, **they may have forgot to turn off the signal. Wait until they are fully past before pulling out.**

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**181. Lane Position** - Know that motorcyclists often adjust position within a lane to be seen more easily and to minimize the effects of road debris, passing vehicles, and wind.

**182. Don't assume** - Don't assume that just because motorcycles can maneuver easier than cars that they can maneuver in any situation.

**183. Bad weather** - Stopping a motorcycle is tough in bad weather. Allow for more stopping distance.

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**184. Think of a motorcycle as a person not a machine.**

## Cars vs. Motorcycles

### 185. Position

- **You drive a car.** You sit in a seat and control the vehicle via controls.
- **You ride a motorcycle.** You use your whole body to grip and control the bike, moving your weight left and right, backward and forward.

### 186. Wheels

- **Car** - You generally think of the 4 wheels acting as one unit, even when you're braking or turning.
- **Motorcycle** - You think of the two wheels separately. They fulfill different roles at all times.

### 187. Passengers

- **Passengers do not impact on the ride.**
- **Passengers are as much part of the ride as the rider.** They can work with you or against you.

### 188. Bad Situations

- **Car** - The brake is generally the way to get out of bad situations.
- **Motorcycle** - A motorcycle may swerve or brake depending on the situation. On loose surfaces the motorcycle will slow instead of stop. Give extra time and distance. When things go wrong opening up the throttle is often the solution e.g. when the bike loses traction on a loose surface a little extra gas can do the trick

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## 189.Brakes

- **Car** - The brakes are one unit . . . your only decision is when to use them.

**Motorcycle** - The braking systems for front and back wheels are usually separate. Sometimes you use them together, sometimes separately and sometimes the order you apply them in is different.

## 190. Sound

- **Car** – Conversations, Radio and music are part of the fun.
- **Motorcycles** – While the same sound features can be added – there are financial, convenience and safety costs.

For more car vs. motorcycle comparisons see:

<http://www.flamesonmytank.co.za/ride.htm#Common>

## 191.Shadows

- **Car** - Your own shadow means nothing
- **Motorcycle** - Your shadow can be a distraction. It may make it more difficult for cars to see you because a shadow means cars will be looking into the sun.

## 192. Colors on the road

- **Car** - You probably don't notice the colors on the road.

- **Motorcycle** - Colors are something to avoid since they could contain oil, brake fluid, diesel or other slippery concoctions. A bike may go around them!

### 193. Road Work

- **Car**. Slow down and watch out for workers.
- **Motorcycle**. Same as for cars but also watch out for loose gravel or tar on the roadway.

### 194. Wind.

- **Car** - You rarely notice it.
- **Motorcycle** - You always notice it. It can cause you to fall or become unstable and increases gas consumption.

### 195. Accelerator

- **Car** - The accelerator moves the car forward.
- **Motorcycle** - The accelerator can speed up and slow down the bike.

## Scooters and mopeds

**Florida Law differentiates between different types of vehicles. Three-wheeled vehicles are different than two-wheel and four-wheel vehicles. Even two wheel vehicles are differentiated.**

For the differences between Motorcycles, Mopeds and Scooters please see page Chapter Six page. 22

For guidelines on Florida's Off Road Requirements see

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<http://www.americanmotorcyclist.com/Rights/State-Laws.aspx?stateid=9>

## See and Be Seen

**196. Be aware of merging vehicles.** It's a prime area where cars may not see you.

**197. Blind Spots** - Know that the drivers of cars, trucks and other vehicles have blind spots and may not see you. So don't drive next to cars, trucks and other vehicles **and avoid their blind spots.** **198.**

**Remember to SEE. Search, Evaluate, Execute.**

- **S Search around you for potential hazards.**
- **E Evaluate any possible hazards, such as turning cars, railroad tracks, etc.**
- **E Execute the proper action to avoid the hazard**

**199. Using your Mirrors** - Use your mirrors when you are stopped, before you change lanes and when you slow down.

**200. Check twice** - A crucial safety tip for preventing motorcycle accidents and many other types of accidents is to simply check twice. When at any type of intersection, drivers should look both ways multiple times to ensure that the road is clear.

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## Chapter Eight

### **WHAT TO DO IN CASE OF AN ACCIDENT?**

Since most drivers in motorcycle accidents are severely hurt, these suggestions apply for other riders (if the accident happened in a group ride) and for witnesses who are friends of the rider.

1. Check to see if everyone is okay
2. Call police and/or 911
3. Obtain the names, address, other contact information, insurance information, vehicle license plate numbers, vehicle identification numbers (VIN), company name(s) and driver's license numbers of everyone involved  
Get names, address and telephone numbers of any
4. witnesses.
5. Registration and Driver's License are the only 2 items that are required by law to be presented on demand if the police officer asks for it, at the accident scene. If you do not possess these items, you are subject to a citation for both items.
6. People have a tendency to say entirely too much to the police at the scene of an accident (please remember number 5).
7. Photograph the scene before vehicles have moved.

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8. Preserve as much evidence as you can.

**These tips are for the accident victim when he is able.**

1. See a doctor right away. Be sure any passengers on your bike also see a physician.
2. DON'T APOLOGIZE. DON'T ADMIT FAULT.
3. If you were driving the motorcycle or if you owned the motorcycle notify your insurance carrier.
4. While everything is still fresh in your mind, write down everything you can remember about the crash, including what you were doing, where you were going, the people you were with, the time, the weather conditions, and anything else that comes to mind.
5. Consult with an attorney.
6. Do not talk to anyone except your doctor or attorney about the accident or your injuries.
7. Do not sign anything unless you completely understand what you're signing and it has been explained to you and explained to you by your attorney.
8. Do not accept any settlement offer without first consulting with an attorney.

**Questions to ask a prospective attorney:**

1. How long have they been in practice?
2. Is their practice focused on Injury cases?
3. Do they list examples of Settlements and Verdicts on their website?
4. Do they ACTUALLY take cases to trial?
5. Have they been recognized for achievement?
6. Are they actively connected with the community?  
(Remember a good lawyer must be able to connect with the good men and women of their community who serve on juries.)
7. Do they have resources to handle litigation?
8. Do they maintain an extensive website showing their history, credentials, and success?

## Glossary

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Below you will find an alphabetical glossary of important legal terms used throughout the book.

**Accident** - An unintended, unforeseen, and undesirable event, especially one that causes harm, injury, damage or loss.

**At fault driver** - The negligent driver who caused the crash.

**Attorney** - A person legally appointed by another to act as his or her agent in the transaction of business, specifically on qualified and licensed to act for plaintiffs and defendants in legal proceedings; a lawyer.

**Attorney-at-law** - A person who has been formally trained and licensed by special examination to be a member of the legal profession; also referred to as an attorney or a lawyer. **Bodily Injury Insurance** - An

insurance policy that pays for injuries caused to other individuals in the event of a motor vehicle accident. The payment includes medical bills, lost wages and pain and suffering. Described by the notation "a/b" where "a" is the dollar amount in thousands of coverage per person, and "b" is the dollar amount in thousands of coverage per accident. Generally, insurance companies will only allow the purchase of UM/UIM coverage up to the insured's current bodily injury limit.

**Damages** - Monetary compensation that the law awards to one who has been injured by the action of another.

**Insurance** - The benefit from an agreement by one party (insurer) to provide the other (insured), for a consideration, money or some other

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benefit in the event of the loss of or injury to a specified person or thing in which the other has an interest.

**Liable** - Bound or obligate; chargeable; accountable for; responsible.

**Liability** - The condition of being liable or responsible; either for damages resulting from an intentional tort or a negligent act, or for the discharging of an obligation or the payment of some indebtedness.

**Med Pay** - An extension of car insurance available in Florida. It covers medical expenses. Med Pay pays regardless of who is at fault. Med Pay is like Personal Injury Protection, Except that PIP is more comprehensive.

**Motorcycle** - Your vehicle is a motorcycle if it is a two-wheeled vehicles with an engine displacement of more than 50 cc,

**National Highway Traffic Safety Administration (NHTSA)** - NHTSA was established by the Highway Safety Act of 1970 and is dedicated to achieving the highest standards of excellence in motor vehicle and highway safety. It works daily to help prevent crashes and their attendant costs, both human and financial. **Negligence** - The failure of one person to take reasonable care in avoiding injuring another person.

**Pain and Suffering** - A type of damage that one may recover for physical or mental pain that results from a wrong-doing.

**Personal Injury Protection (PIP)** - An extension of car insurance available in Florida. It covers medical expenses and, in some cases, lost wages and other damages. PIP Pays regardless of who is at fault. This is not available for motorcyclists.

**Possible Injury** - Any injury reported or claimed which is not a fatal injury, incapacitating injury, or non-incapacitating evident injury.

**Property Damage Insurance** - A coverage usually written in conjunction with a bodily injury liability policy. This insurance covers damage done to another person's property, usually including loss of use. **Soft Tissue**

**Injury** – Damage to muscles, tendons and ligaments. **Stacking** - In auto insurance, "stacking" means adding coverage limits for multiple vehicles together to produce a higher limit.

**Underinsured Motorist Insurance** - An automobile policy option which covers one for property damage, lost wages and pain and suffering caused by another motorist who does not carry enough liability insurance to match the amount of damages.

**Uninsured Motorist Insurance** – An automobile policy option which covers one for property damage, lost wages and pain and suffering caused by another motorist who does not carry liability insurance.

**Witness** - One who can give a firsthand account of something seen, heard, or experienced; one who is called on to testify before a court.

**Wrongful Death** – The taking of the life of an individual resulting from the willful or negligent act of another.

**Wrongful Death Claim** – A lawsuit on behalf of a deceased person's survivors for the future economic losses they will suffer that is brought against the negligent party who caused the death.

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## **About the Author**

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Stephen K. Brooks practices at the Brooks Law Group with offices in Tampa, Lakeland and Winter Haven, Florida.

Steve received his B.A. Degree from Stetson University and his J.D. from Stetson University College of Law. Steve also had the opportunity to study at Oxford University in England through an arrangement with Stetson University College of Law. After his return to the U.S., he joined a six-member law firm. The diverse experience he gained there has been invaluable to his own firm. It is the basis of a wide pool of practical knowledge and personal contacts from which he continues to draw.

Steve devotes all of his current practice to "people" problems, personal injury, wrongful death, and Social Security disability. His widespread success in these areas is quickly gaining a reputation of being a "force to be reckoned with." Yet he is easy to talk to and his sincerity quickly turns clients into friends.

One of the contributing factors to Steve's success is immediately apparent. He is the rare combination of a "can-do" individual with a no-nonsense approach to getting things done. He cares about the people he represents... and it shows.

Steve is also a member of the Association of Plaintiff Interstate Trucking Lawyers of America. Steve was selected as one of the Top 100 trial lawyers in the State of Florida for 2009. Steve was again selected in 2010 for inclusion in The Top 100 Trial Lawyers for the State of Florida. He is also a member of the Million Dollar Advocates Forum, of which fewer than 1% of US lawyers are members.

Raised in the Winter Haven area, Steve maintains his close ties in the community. He currently serves on the Board of Directors of Tri-County

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Human Services, Inc. (<http://www.tchsonline.com/home/>). He has also served on the Board of Directors of Meals on Wheels. Steve is a member in the local Chamber of Commerce and on the professional side, he is a member of The Florida Bar, An Eagle member of The Florida Justice Association and The Polk County Trial Lawyers Association. He can be reached at [steve@brookslawgroup.com](mailto:steve@brookslawgroup.com) or [1-888-We-Mean-  
It800-LAW-3030](tel:1-888-We-Mean-It800-LAW-3030). (1-888-[936529-3030264](tel:936529-3030264))

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No one likes to be in a situation where they need a lawyer, but when you are, it's nice to know that we are here to help.

Our law firm and our attorneys have outstanding abilities, caring attitude, and a professional record that you can depend on to represent your case in the most professional manner possible.