



# The Michigan Motorcycle Law Newsletter

**Buckfire & Buckfire, P.C.**

**MICHIGAN'S TOP RATED MOTORCYCLE LAWYERS**

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**Upcoming Motorcycle Events/Rides**

- May 28th: Thunder Rolls in Belleville. Contact: 734-697-5090
- June 1-3: Motorcycle Mecca. Novi. [www.MI-MotorcycleMecca.com](http://www.MI-MotorcycleMecca.com)
- June 8-10: Oscoda Biker Daze. Oscoda. Contact: 989-569-3660

## Motorcycle Helmets: Your Choice in Michigan

For many Michigan motorcyclists, victory was achieved with freedom of choice legislation on whether or not to wear a helmet. On Thursday, April 12, 2012, Governor Rick Snyder signed the Michigan motorcycle helmet law repeal. The bill, also known as Senate Bill 291, gives Michigan motorcyclists the option of wearing a helmet.

Senate Bill 291, sponsored by State Senator Phil Pavlov (R-St. Clair), gives motorcyclists the option of whether to wear a helmet if they are at least 21 years of age, carry additional medical insurance coverage in the amount of \$20,000.00, and have passed a motorcycle safety course or have had their motorcycle endorsement for at least two years.

Motorcycle passengers who want to exercise this option also must be 21 or older and carry additional insurance.

Michigan will become the 31st state in the country to give motorcyclists the option to choose. It joins the Great Lakes states of Illinois, Indiana, Ohio, Wisconsin, Minnesota and Pennsylvania that have repealed or amended helmet-use laws to give riders a choice.

Today is a day to celebrate for many Michigan motorcyclists—for it is now your own personal choice of whether or not to wear a helmet while riding. *To read more on the helmet legislation, see page 2.*

### Free Motorcycle Insurance Review

As a free service to our readers, we offer a free review of your motorcycle insurance policy. We will make sure that you are complying with the new legislation and that you have the best possible coverage on your bike.

**Fax your policy to 248-569-6737.** Put your contact number on the fax cover sheet.

## Come Visit Us At The Motorcycle Mecca June 1-3, 2012

Be sure to mark this event on your calendar! The first ever Michigan Motorcycle Mecca (MMM) Custom Bike Show is going to be held June 1-3, 2012 at the Suburban Collection Showplace in Novi, MI.

There will be hundreds of exciting motorcycles on display from all classes. Exhibitors will be presenting the latest in motorcycle parts, accessories, and apparel, and there will be live entertainment each night.

**Buckfire & Buckfire is very thrilled to be a part of this event! We would love to see you all there. Visit our table, enter to win our motorcycle tail bag raffle and take home some cool giveaways.**

For more information on the event and to purchase tickets ahead of time visit [www.MI-MotorcycleMecca.com](http://www.MI-MotorcycleMecca.com)

## New Motorcycle Helmet Law: Your Questions Answered



*The information below was written by Buckfire Attorney Dondi Vesprini (pictured to the left). Dondi has been a licensed attorney in the State of Michigan since 1999. He is recognized as an expert in cases involving motorcycle accidents. Dondi frequently meets with both legislators and lobbyists regarding legislation affecting injured motorcyclists and is also a member of the Board of Directors of ABATE of Michigan. Look for Dondi's article in each issue where he will discuss important issues affecting motorcyclists.*

*If anyone has any suggestions of topics they would like addressed that may be of interest in the motorcycle community, please feel free to email **Dondi at Dondi@buckfirelaw.com***

With the new helmet law in effect, I am finding that many Michigan motorcyclists have similar questions regarding the required coverage, stipulations of the law, and much more. As a resource to Michigan bikers, I have comprised answers to commonly asked questions many motorcyclists have:

**Q:** Is the required medical coverage in the amount of \$20,000.00 a Personal Injury Protection (PIP) coverage?

**A:** No. It is specific coverage required to be purchased on your motorcycle insurance policy.

**Q:** Can the required medical coverage in the amount of \$20,000.00 be considered satisfied if I have PIP medical coverage on my auto policy?

**A:** No. The medical coverage required by the new law is required on your motorcycle policy, as opposed to medical coverage you may have elsewhere, (i.e. on auto policy, health insurance, Medicare, etc.)

**Q:** Can I satisfy the required medical coverage if I have health insurance coverage of at least \$20,000.00?

**A:** No. The medical coverage required by the new law is required on your motorcycle policy, as opposed to medical coverage you may have elsewhere, (i.e. on auto policy, health insurance, Medicare, etc.)

**Q:** If I own more than one motorcycle, is the required medical coverage in the amount of \$20,000.00 necessary for each individual motorcycle policy?

**A:** Yes. If you want to ride each of your motorcycles without a helmet, you must have the required medical coverage on each motorcycle insurance policy covering each motorcycle.

**Q:** When may a passenger ride without a helmet under the new law?

**A:** The passenger may ride without a helmet if they are over 21 and fall into one of the following scenarios: (1) If the passenger is insured by a motorcycle policy which provides at least \$20,000.00 in medical coverage which is payable in the event he/she is involved in an accident. (2) If the operator has on his/her motorcycle policy BOTH \$20,000.00 in medical coverage for himself/herself AND an additional \$20,000.00 in medical coverage to cover the passenger. (Ex. Medical coverage of \$20,000.00 per person/\$40,000.00 per accident)

**Q:** Under what circumstances would an officer be able to pull me over to investigate whether my passenger and I are illegally riding without a helmet?

**A:** Stopping a motorcycle for "improperly" riding without a helmet would be difficult, if that is the only reason for the stop. Generally, to justify a traffic stop, an officer must have an articulable suspicion of illegal conduct. Other than a person who may appear obviously younger than 21 riding without a helmet, it would be difficult for an officer to have articulable suspicion that a person has not had an endorsement for at least two years; has not passed a motorcycle safety course; or does not have the required medical coverage on his/her policy.

## Ask Dondi, Dan, and George: Your Motorcycle Legal Experts



Attorneys Dondi Vesprini, Dan Buckfire, and George Burke.

**Q: What are the types of insurance claims I may be able to make if I am involved in a Michigan motorcycle accident?**

**Dondi:** Generally when you are involved in a motorcycle accident, there are three potential types of insurance claims, depending on the circumstances of the accident. These claims are classified as: (1) Motorcycle Repairs and Damages (Payment for repairs to your motorcycle), (2) Bodily Injury Claims (Payment for personal injuries), and (3) No-Fault Insurance Benefits (Payment for wage loss, medical expenses, etc.).

**Q: How do I find an approved motorcycle safety course?**

**Dan:** You can find one by contacting your local Michigan Secretary of State office or by visiting the department's web site at [www.Michigan.gov/sos](http://www.Michigan.gov/sos).

**Q: What are the insurance requirements for owning and operating a motorcycle?**

**George:** When registering a motorcycle, the owner must provide proof of insurance of \$20,000/\$40,000 for public liability and \$10,000 for property damage. There is no requirement to purchase medical benefits coverage on your motorcycle, however I strongly recommend purchasing the maximum medical benefits coverage and uninsured/underinsured motorists coverage on your motorcycle that you can afford for the best protection.

### DO YOU HAVE A QUESTION FOR YOUR MOTORCYCLE LEGAL EXPERTS?

Email Kathryn at [Kathryn@buckfirelaw.com](mailto:Kathryn@buckfirelaw.com) with your question and see if your question gets answered in our next newsletter. Just type "Ask Your Motorcyclist Legal Experts" in the subject line.



### Our Motorcycle Shop Spotlight

Harrison's Motorcycle Service

391 Washington Street, Brighton, MI 48116

Ph: 810-844-2055 — [www.harrisonsmcservice.com](http://www.harrisonsmcservice.com)

This month we spotlight Harrison's Motorcycle Service—a family owned and operated business located in downtown Brighton. Harrison's Motorcycle Service has been in business since August 2007 and provides a wide range of services, including building, fixing, and servicing engines.

Owner Steve Harrison opened the shop after his uncles' Harley Davidson dealership sold, where he had worked for 10 years. Steve started riding mini bikes when he was seven years old and his uncle gave him his love for motorcycles. The love eventually evolved into dirt bikes, ice bikes, street bikes, motocross racing, and 1/4 mile drags. "There is nothing I would rather be doing than riding," says owner Steve.

Harrison's Motorcycle Service is open Monday-Friday, 10 a.m. to 6 p.m. and Saturday, 10 a.m. to 2 p.m. "When you are out for a ride, stop in and see us. We would love to meet you," says Steve.

For more information on the shop or for upcoming events visit their website at [www.harrisonsmcservice.com](http://www.harrisonsmcservice.com). Harrison's Motorcycle Service can also be found on Facebook and Twitter, and you can also sign up for email notifications of events.

**Want to nominate or spotlight your motorcycle shop or club in our next newsletter?** Just email or call Kathryn with your nomination at 248.569.4646 or [Kathryn@buckfirelaw.com](mailto:Kathryn@buckfirelaw.com) The spotlight is FREE.

MICHIGAN'S TOP MOTORCYCLE ACCIDENT LAWYERS



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Have a friend who would also like to receive "The Michigan Motorcycle Law Newsletter"?

Just call or email Kathryn at 248-569-4646 or Kathryn@buckfirelaw.com with their contact information and we will add them to our mailing list!

If you would like to be removed from our mailing list call Kathryn at 248-569-4646 or email her at Kathryn@buckfirelaw.com

**Our Current Cases of Interest**

- A negligence lawsuit for a gentleman in a motorcycle automobile accident. He was riding his motorcycle when another driver failed to yield the right of way to him and turned directly into his path resulting in a collision. He suffered serious injuries, including a fractured left leg and ankle which required surgery.
- A Saginaw, Michigan lawsuit filed on behalf of a passenger injured while riding as a passenger on a bike. A negligent driver unlawfully merged into their lane and struck the motorcycle. The woman passenger suffered serious injury to her shoulder, which required surgery.

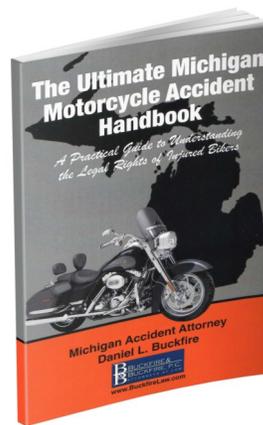
**Recent Settlements**

- Policy limit settlement on behalf of a female passenger on the back of a motorcycle who suffered fractures of her back and legs when the motorcycle was rear ended by a drunk driver.
- Policy limit settlement on behalf of a motorcyclist who suffered a severely fractured elbow leaving him with an inability to straighten his arm when a motor vehicle side swiped him while changing lanes on I-75 in Genesee County.
- Policy limit settlement on behalf of a motorcyclist who fractured his pelvis when a motor vehicle turned out in front of him from a side street in Berrien County.

**FREE Motorcycle Accident Book**

Your FREE Guide to Michigan Motorcycle Accident Cases

**Warning: Do Not Speak to the Insurance Adjuster or Hire a Lawyer Until You Read This Free Book.**



The Book reveals:

- How To Find The Best Lawyer For Your Case
- Who MUST Pay For Motorcycle Damage Claims
- How To Get The Best Money Settlement For Your Injuries
- Are You Entitled To Michigan No-Fault Insurance Benefits
- How To Get Your Medical Bills And Lost Wages Paid
- **AND MUCH MORE** including the **SECRET STRATEGIES** insurance companies will use to avoid paying YOU a fair settlement.

Request your book by calling (800) 606-1717 or visit

[www.MichiganMotorcycleBook.com](http://www.MichiganMotorcycleBook.com)