

The Motorcycle Lawyer Secures Half Million Dollar Verdict for Unhelmeted Rider

Attorney Jason Waechter, known as The Motorcycle Lawyer by fellow motorcyclists, recently helped an injured motorcyclist get justice in the courtroom. Waechter believes that the crash and the trial emphasize the need for greater motorcycle awareness among vehicle drivers.

Ann Arbor, MI ([PRWEB](#)) March 28, 2016 -- Last month, Motorcycle Accident Injury Lawyer [Jason Waechter](#) went to court to fight for a client who was injured in a vehicle-motorcycle collision (Washtenaw County Circuit Court Case No. 13-331-NI).

On his [website](#), Waechter provides a detailed discussion about the crash and the trial. According to court documents (Washtenaw County Circuit Court Case No. 13-331-NI), Waechter's client was riding his Harley on a two-lane country road when he saw a minivan stopped in the lane ahead of him; the minivan had not pulled onto the shoulder, but its passenger wheels were over the fog line. This was in a no-passing zone. The motorcyclist slowed down to about 25mph and started to go around her. He hadn't even crossed the double yellow line when the minivan suddenly turned left directly into the motorcycle in an attempt to turn around.

"My client was badly injured," says Waechter. Court documents (Washtenaw County Circuit Court Case No. 13-331-NI) state that the injured motorcyclist suffered from a head injury, broken ribs, a broken clavicle that needed surgery, broken teeth, a collapsed lung, and a back injury that required surgery two years after the crash happened. "All that, because the driver of the minivan failed to check her mirrors or blind spot before pulling into the road," adds Waechter.

One particular challenge in this case was the fact that the motorcyclist was riding without a helmet. While this has been legal in Michigan since 2012, provided the rider meets certain [criteria*](#), Waechter believes that there is a bias against motorcyclists who go without a helmet.

"Basically, the insurance companies are trying to blame the victim in these cases," says Waechter. "They're betting that they can convince a jury that the motorcyclist was negligent for not wearing a helmet, putting himself in more danger than if he had worn one," he explains.

Waechter is referring to what is known as the 50% Rule: if the defense team can convince the jury that the plaintiff (in this case, the injured motorcyclist) is more than 50% at-fault for the crash, or 50% negligent, the plaintiff won't have to pay for non-economic damages: pain and suffering, loss of enjoyment of life, scarring and disfigurement, or other long-term effects of the crash.

Waechter, who has dedicated over twenty years to helping injured bikers, believes there is a bias against unhelmeted riders. In fact, he has conducted focus groups and interviews both with riders and non-riders, and has found that especially non-riders believe that not wearing a helmet is negligent on the part of the motorcyclist.

With his [extensive experience](#) litigating motorcycle accident injury cases, Waechter was prepared for the defense to try to use this argument in court. He filed a motion to exclude the argument by the defense that it is negligent to ride without a helmet. "Think about it this way," says Waechter. "Whether my client had been wearing a helmet or not, this crash still would have happened, and my client still would have been badly

injured." Unfortunately, the judge denied the motion and allowed the defense to argue that the injured motorcyclist was negligent for riding without a helmet.

"My client was 100% legal on his bike that day," Waechter explains. "He was over 21 years old, he had a motorcycle endorsement (CY), his bike was registered and insured, and he had the \$20K in extra medical coverage that he needed." During the trial, every one of the defense witnesses, including State Troopers, Police officers, and accident reconstructionists, agreed with him: The motorcyclist was fully legal while riding without a helmet as he approached the minivan; this is reflected in the court documents (Washtenaw County Circuit Court Case No. 13-331-NI).

Ultimately, Waechter's argument prevailed: while the jury did assign some negligence to the injured motorcyclist, it was not more than 50%. [Justice](#) was served in the form of a verdict for the plaintiff of over half a million dollars.

Waechter believes that this trial, and the crash that led to it, point to the need for better motorcycle awareness among vehicle drivers. "The fact is, if the minivan driver hadn't slammed into my client that day, the crash wouldn't have happened and he wouldn't have been hurt. Wearing a helmet wouldn't have made any difference in stopping the crash. What would have made a difference," states Waechter, "was if the driver had taken the time to properly check her mirrors and blind spots, and really had a good look for motorcycles, before pulling into the road."

With Motorcycle Awareness Month just around the corner, Waechter is offering a few motorcycle awareness tips for both vehicle drivers and motorcyclists.

"First of all, if you're a motorcyclist, you need to get involved with promoting motorcycle awareness and safety," says Waechter. In order to help promote awareness, Waechter provides free Watch for Motorcycles! [bumper stickers](#) and other awareness swag on his website. "Contact your local advocacy group and see what kind of awareness activities they are planning. Get a lawn sign, or donate towards a billboard, every little bit helps."

Waechter also advocates using social media to promote motorcycle awareness. "Everyone is on Facebook now. It's a great tool for sending out reminders, sharing statistics, and really getting the message out that Motorcycles Are Everywhere," Waechter notes. He frequently uses his [Facebook](#) page to send out motorcycle awareness materials. "I also try to talk to people every day about motorcycle awareness," Waechter says. "I remind my friends and family members, my clients and other attorneys, folks at the gym, whoever I get a chance to chat with for a few minutes. If I can get one person each day to be extra watchful for motorcyclists, then hopefully I can help prevent crashes, injuries and deaths," he finishes.

Waechter hopes that getting the word out about this case and the crash that led to it will not only increase motorcycle awareness, but also will shine a light on the bias against helmets riding. "It's the riders choice, plain and simple," says Waechter. "At the end of the day, better awareness on the part of drivers could go a long way to help prevent motorcycle-vehicle crashes, injuries, and deaths."

*In order to legally ride without a helmet in Michigan, motorcyclists must have a CY endorsement on their license; they must be riding a registered and properly insured motorcycle; they must carry an additional \$20,000 in medical coverage; and they must be 21 years or over. This applies to both riders and passengers.



Jason Waechter has spent two decades cementing his reputation for results. He is known as The Motorcycle Lawyer in the biker community, and is committed to helping motorcycle accident injury victims. Jason has fought tirelessly for accident injury victims and contributed significantly to safety education and motorcycle crash prevention. He has entrenched himself as one of the nation's premier lawyers.

If you or a loved one has been injured in an accident, call [1-877-BIKER-LAW](tel:1-877-BIKER-LAW) to speak with Jason personally.



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