



# What To Do After a Motorcycle Accident in Florida

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An Informational Guide for Riders, Passengers,  
and Those Hit by Motorcycles

No PIP for Motorcycles • Helmet Law • Insurance Requirements  
Direct Fault-Based Claims • Rider Bias • Your Legal Options

2026 Edition | Free Informational Guide

# About This Guide

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This free informational guide was created by [LexPair](#) to help motorcycle riders, passengers, and others in Florida understand their rights and options after a motorcycle crash.

Motorcycle accident cases in Florida are fundamentally different from car accidents — and the difference catches many riders off guard. The most critical distinction: **motorcycles are exempt from Florida's no-fault PIP insurance system.** Under Fla. Stat. § 627.732(3), “motor vehicle” is defined as a self-propelled vehicle with “four or more wheels,” which excludes motorcycles. This means there is no PIP safety net after a motorcycle crash — riders cannot turn to their own insurance for automatic medical coverage the way car drivers can.

This guide explains how the PIP exemption works, what insurance motorcyclists are expected to carry, Florida's helmet law and its connection to insurance, how fault-based claims differ from no-fault claims, and when consulting an attorney is generally advisable. **This guide is not legal advice.** Every situation is different, and a licensed Florida attorney should be consulted for guidance on any specific case.

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*Key statutes: Fla. Stat. § 627.732(3) (motor vehicle definition excluding motorcycles); Fla. Stat. § 324.021 (financial responsibility); Fla. Stat. § 316.211 (helmet/eye protection). This guide is informational only and does not constitute legal advice.*

## CHAPTER 1

# Why Motorcycle Accidents Are Different in Florida

A motorcycle crash is not handled the same way as a [car accident](#) under Florida law. The differences are significant and affect everything from insurance coverage to the types of damages that can be recovered.

## Vulnerability and Injury Severity

Motorcyclists lack the structural protection of an enclosed vehicle — no airbags, no crumple zones, no seatbelts. This exposure means motorcycle crashes are far more likely to result in catastrophic injuries: traumatic brain injuries, spinal cord injuries, road rash, fractures, amputations, and fatalities. Florida consistently ranks among the states with the highest number of motorcycle fatalities.

## No PIP Coverage

This is the most important legal distinction. Florida's no-fault PIP system — which automatically covers medical expenses and lost wages for car accident victims regardless of fault — does not apply to motorcycles. Under the statute, "motor vehicle" is defined as a self-propelled vehicle with "four or more wheels." Motorcycles, with two wheels, are excluded. This means there is no automatic \$10,000 PIP safety net, no 14-day treatment rule tied to PIP, and no PIP-funded wage replacement after a motorcycle crash.

*Fla. Stat. § 627.732(3) (definition of "motor vehicle" as having four or more wheels, excluding motorcycles from PIP requirements under §§ 627.730–627.7405).*

## No Serious Injury Threshold

Because motorcyclists are not subject to the no-fault PIP system, they are also not subject to the "serious injury" threshold that car accident victims must meet before they can sue for pain and suffering. A motorcyclist injured by a negligent driver can pursue a fault-based claim for the full range of damages — including pain and suffering — from the first dollar, without needing to prove permanent injury.

*Fla. Stat. § 627.737(2) (serious injury threshold applies only to vehicles for which PIP security has been provided under §§ 627.730–627.7405; motorcycles are excluded).*

## Direct Fault-Based Claims

Without PIP, a motorcycle accident claim in Florida is a traditional fault-based (tort) claim from the start. The injured rider must establish that the other party was negligent, and compensation is pursued through the at-fault driver's bodily injury liability insurance (or the rider's own uninsured/underinsured motorist coverage if the at-fault driver has insufficient insurance).

**LEXPAIR TIP**

The PIP exemption means motorcycle riders are more financially exposed after a crash than car drivers. Understanding the insurance options and legal framework is essential. [Start a free consultation with LexPair.](#)

## CHAPTER 2

# The PIP Exemption: No No-Fault Safety Net for Riders

The PIP exemption is the single most important fact that motorcycle riders in Florida need to understand. It affects how medical bills are paid, how claims are filed, and what compensation is available.

### MOTORCYCLES ARE NOT COVERED BY PIP

Florida's mandatory PIP insurance (Fla. Stat. § 627.736) applies only to "motor vehicles" as defined in Fla. Stat. § 627.732(3) — self-propelled vehicles with four or more wheels. Motorcycles are excluded. There is no automatic coverage for a rider's own medical expenses after a crash, regardless of fault. The 14-day treatment rule, the \$10,000 PIP limit, and the 80%/60% coverage structure do not apply to motorcycle accidents.

### What This Means for Medical Bills

After a motorcycle crash, a rider's medical bills are generally not covered by their own auto insurance (unlike car drivers who have PIP). Instead, medical expenses may be covered by: the rider's health insurance (if they have it); Medical Payments coverage (MedPay) on their motorcycle policy (if purchased — this is optional); the at-fault driver's bodily injury liability insurance (through a fault-based claim); or the rider's own uninsured/underinsured motorist (UM/UIM) coverage (if purchased).

### What About a Rider Who Also Owns a Car?

A common question is whether a motorcyclist who also owns a car with PIP can use that car's PIP coverage after a motorcycle crash. Under Florida law, PIP coverage generally follows the insured vehicle, not the person. Most auto insurance policies in Florida explicitly exclude PIP coverage for injuries sustained while operating or riding on a motorcycle. However, policy language varies, and a licensed attorney or insurance professional can review specific policy terms.

*Fla. Stat. § 627.736(1) (PIP coverage tied to the insured "motor vehicle"); Fla. Stat. § 627.732(3) (motorcycle exclusion from "motor vehicle" definition).*

### LEXPAIR TIP

Many riders don't realize PIP doesn't cover them until after a crash. If you've been in a motorcycle accident and are unsure about your coverage options, consulting a [motorcycle accident attorney](#) is generally advisable. [Get paired through LexPair.](#)

## CHAPTER 3

# Motorcycle Insurance Requirements and the Helmet Law

Florida's motorcycle insurance requirements are structured differently from car insurance. Understanding these rules — and how the helmet law connects to insurance — is important for every rider.

## Financial Responsibility (Not Pre-Accident Mandatory Insurance)

Unlike car owners (who must carry PIP and PDL before they can register a vehicle), motorcycle owners in Florida are not required to carry insurance before riding. However, Florida's Financial Responsibility Law requires that if a motorcyclist is involved in an at-fault crash causing injury, death, or property damage, they must demonstrate the ability to pay. The minimum financial responsibility amounts are: \$10,000 for bodily injury or death to one person; \$20,000 for bodily injury or death to two or more persons; and \$10,000 for property damage. Failure to demonstrate financial responsibility after an at-fault crash can result in suspension of the rider's driver's license, motorcycle registration, and license plate for up to three years.

*Fla. Stat. § 324.021(7)(a)–(c) (proof of financial responsibility: 10/20/10 minimums).*

**\$10,000**

BI Per Person (Minimum)

**\$20,000**

BI Per Accident (Minimum)

**\$10,000**

Property Damage (Minimum)

## Florida's Helmet Law and the Insurance Connection

Under Florida law, all motorcycle operators and passengers must wear a U.S. DOT-approved helmet — unless the rider is 21 years of age or older AND carries an insurance policy providing at least \$10,000 in medical benefits coverage for injuries sustained in a motorcycle crash. Riders under 21 must wear a helmet at all times, regardless of insurance. All riders, regardless of age, must wear eye protection.

*Fla. Stat. § 316.211(1) (helmet requirement); Fla. Stat. § 316.211(2) (eye protection requirement); Fla. Stat. § 316.211(3)(b) (helmet exemption for riders 21+ with \$10,000 medical benefits coverage).*

## Recommended Coverages for Riders

While not all coverages are legally required before an accident, many attorneys and insurance professionals recommend that Florida motorcyclists carry: bodily injury liability (to cover others if the rider is at fault); uninsured/underinsured motorist coverage (UM/UIM) (to protect the rider when the at-fault driver has no insurance or insufficient coverage — this is often the most important coverage a rider can carry); Medical Payments (MedPay) (optional coverage that pays the rider's own medical bills regardless of fault, up to the policy limit); and collision and comprehensive coverage (for damage to the motorcycle itself).

**LEXPAIR TIP**

UM/UIM coverage is often the most valuable coverage for a motorcyclist in Florida. If the at-fault driver has no insurance or minimal coverage, UM/UIM may be the primary source of compensation for the rider's injuries. Discuss coverage options with an insurance professional or attorney.

## CHAPTER 4

# At the Scene: What to Do After a Motorcycle Crash

Motorcycle crashes often result in serious injuries that require immediate medical attention. The following general steps are commonly recommended, but **medical care is always the first priority**.

### Call 911 and Do Not Remove Your Helmet

If you suspect any head, neck, or spinal injury, do not remove your helmet — wait for emergency medical personnel. Moving the head or neck after a potential spinal injury can cause additional harm. Florida law requires drivers involved in a crash resulting in injury to stop and remain at the scene.

*Fla. Stat. § 316.027(2) (duty to stop at crash involving injury).*

### Document the Scene

If physically able, documenting the scene is important. Photograph: vehicle damage from multiple angles; the motorcycle's resting position; the other vehicle(s) involved; road conditions, skid marks, and debris; your protective gear (helmet, jacket, gloves) and any damage to it; weather and lighting conditions; and any visible injuries. Collect witness names and contact information. In motorcycle cases, witness testimony is often especially important because there may be disputes about visibility, lane position, and fault.

### Obtain the Police Report

A crash report is required for any accident involving injury, complaints of pain, or an inoperable vehicle. Request the report number from responding officers.

*Fla. Stat. § 316.066(1)(a) (crash report requirements).*

### Seek Medical Attention Promptly

Because PIP does not apply to motorcycle crashes, there is no 14-day rule tied to PIP benefits. However, seeking medical evaluation promptly is still generally advisable for two important reasons: many serious injuries (including traumatic brain injuries and internal bleeding) have delayed symptoms; and a gap between the crash and medical treatment gives insurance companies an argument that injuries were not caused by the accident.

#### **NO 14-DAY PIP RULE — BUT PROMPT TREATMENT STILL MATTERS**

Because motorcycles are exempt from PIP, the 14-day treatment deadline under Fla. Stat. § 627.736 does not apply to motorcycle crashes. However, delayed treatment can weaken a claim by allowing insurers to argue that injuries were pre-existing or unrelated. Seeking medical care as soon as possible is generally recommended.

**LEXPAIR TIP**

Motorcycle crashes often involve serious injuries and complex fault disputes. The sooner an attorney is involved, the better. LexPair can pair you with a [motorcycle accident attorney](#) in Florida — [start here](#).

## CHAPTER 5

# How Motorcycle Accident Claims Work (Fault-Based)

Because motorcycles are exempt from the no-fault system, motorcycle accident claims are traditional fault-based (tort) claims. The injured rider must prove that the other party was negligent.

## Pursuing the At-Fault Driver's Insurance

If another driver caused the crash, the rider's primary avenue for compensation is the at-fault driver's bodily injury (BI) liability insurance. Florida does not require all drivers to carry BI coverage (only PIP and PDL are mandatory for car owners), but many do. If the at-fault driver has no BI coverage or insufficient coverage, the rider's own UM/UIM policy (if purchased) becomes critical.

## No Serious Injury Threshold Required

Unlike car accident victims, motorcycle riders do not need to meet the "serious injury" threshold under Fla. Stat. § 627.737 to recover pain and suffering damages. Because motorcyclists are outside the no-fault system, they can pursue the full range of damages — including pain and suffering, emotional distress, and loss of enjoyment of life — for any injury caused by another's negligence, regardless of severity.

*Fla. Stat. § 627.737(1)–(2) (tort exemption and serious injury threshold apply only to vehicles for which PIP security is provided; motorcycles are excluded).*

## Types of Damages Recoverable

In a successful fault-based motorcycle accident claim, damages may include: past and future medical expenses; lost wages and diminished earning capacity; pain and suffering; emotional distress; loss of enjoyment of life; scarring and disfigurement; property damage (motorcycle repair or replacement); and in cases of death, wrongful death damages for surviving family members.

## Statute of Limitations

The statute of limitations for most motorcycle accident negligence claims in Florida is two years from the date of the accident (for causes of action accruing after March 24, 2023). Wrongful death claims generally carry a two-year deadline from the date of death. Missing these deadlines can permanently bar recovery.

*Fla. Stat. § 95.11 (statutes of limitations), as amended by CS/CS/HB 837 (2023).*

### LEXPAIR TIP

The ability to pursue pain and suffering from the first dollar — without a serious injury threshold — is a significant advantage for motorcycle accident victims. An experienced [motorcycle accident attorney](#) can evaluate the full range of damages. [Get paired through LexPair.](#)

## CHAPTER 6

# Rider Bias and Comparative Negligence

One of the biggest challenges in motorcycle accident cases is overcoming bias against riders. Insurance adjusters, jurors, and even law enforcement may harbor assumptions about motorcyclists that can affect how fault is assigned.

## Common Bias Arguments

Insurance companies in motorcycle cases frequently raise arguments such as: the rider was speeding or driving aggressively; the rider was difficult to see (the “I didn’t see the motorcycle” defense); the rider was not wearing a helmet (or adequate protective gear); the rider was weaving between lanes (lane splitting, which is illegal in Florida); or the rider assumed the risk by choosing to ride a motorcycle. These arguments are designed to shift fault to the rider and reduce or eliminate compensation under Florida’s comparative negligence system.

*Fla. Stat. § 316.209 (motorcycles entitled to full use of lane; lane splitting prohibited).*

## Modified Comparative Negligence

Florida’s modified comparative negligence system applies to motorcycle accidents. If the rider is found more than 50% at fault, they are barred from recovering any damages. If the rider is found partially at fault (but 50% or less), their recovery is reduced proportionally. For example, if damages total \$200,000 and the rider is found 30% at fault, recovery is reduced to \$140,000.

*Fla. Stat. § 768.81 (comparative fault), as amended by CS/CS/HB 837 (2023).*

## The Helmet Defense

Florida does not have a specific statute that allows the absence of a helmet to reduce damages in a personal injury case. However, insurance companies may argue that failure to wear a helmet contributed to the severity of head injuries, and therefore the rider shares some fault for the extent of their damages. An experienced motorcycle accident attorney can counter these arguments with medical evidence and expert testimony.

### LANE SPLITTING IS ILLEGAL IN FLORIDA

Unlike some states (such as California), lane splitting — riding between lanes of traffic — is not legal in Florida. Lane filtering (moving between stopped vehicles) is also not permitted. If a rider is lane splitting at the time of a crash, it may significantly affect the fault determination and the ability to recover compensation.

*Fla. Stat. § 316.209(3) (motorcycles may not overtake or pass in same lane as another vehicle).*

**LEXPAIR TIP**

Overcoming rider bias is one of the most important aspects of a motorcycle accident case. An experienced [motorcycle accident attorney](#) knows how to counter these arguments with evidence and expert testimony. [Start a free consultation with LexPair.](#)

## CHAPTER 7

# When to Consult a Motorcycle Accident Attorney

Given the PIP exemption, the fault-based nature of motorcycle claims, and the prevalence of rider bias, consulting a [motorcycle accident attorney](#) is generally advisable for most motorcycle crash victims in Florida.

### Consulting an Attorney Is Especially Important When:

- Injuries required medical treatment (especially given the absence of PIP coverage)
- The at-fault driver has no bodily injury liability insurance or has minimal coverage
- There is any dispute about who was at fault
- The insurance company is arguing the rider was speeding, lane splitting, or not wearing a helmet
- Injuries are severe: traumatic brain injury, spinal injury, amputation, severe road rash
- A family member was killed in the crash
- The other driver's insurer has contacted the rider directly
- A quick settlement offer was received
- The rider does not have health insurance or MedPay to cover immediate medical bills

### How Motorcycle Accident Attorneys Typically Get Paid

Most motorcycle accident attorneys in Florida work on a contingency fee basis, meaning the client generally pays nothing upfront. The attorney typically receives a percentage of the recovery only if compensation is obtained. Fee structures vary, and terms should be discussed directly with the attorney.

#### LEXP AIR TIP

LexPair connects people with verified, pre-screened [motorcycle accident attorneys](#) in Florida. Consultations are free and there is no obligation. [Start a free case evaluation.](#)

## CHAPTER 8

# Your Post-Motorcycle-Crash Checklist

This checklist summarizes the general steps commonly recommended after a motorcycle accident in Florida. It is provided for informational purposes only — consult a licensed attorney for guidance on any specific situation.

### At the Scene (If Physically Able)

- Call 911 if anyone is injured
- Do NOT remove your helmet if you suspect a head, neck, or spinal injury
- Photograph vehicle damage, motorcycle position, road conditions, and debris
- Photograph your protective gear (helmet, jacket) and any damage to it
- Collect witness names and contact information
- Request the police report number — Fla. Stat. § 316.066
- Avoid admitting fault or providing detailed statements at the scene

### Within 24–48 Hours

- Seek medical evaluation — even if symptoms seem mild
- Report the accident to your own insurance company (motorcycle and auto, if applicable)
- Write down everything you remember about the crash in detail
- Preserve your helmet and gear — do not repair or discard them (they may be evidence)
- Do NOT give recorded statements to the at-fault driver's insurer without attorney guidance
- Contact a motorcycle accident attorney

### Important: No 14-Day PIP Rule for Motorcycles

- The 14-day PIP treatment deadline does NOT apply to motorcycle crashes
- However, seeking prompt medical care is still recommended to strengthen your claim
- Check whether you have health insurance, MedPay, or UM/UIM coverage for medical bills
- Keep all medical records and bills

### Ongoing

- Continue all prescribed medical treatment
- Keep a daily injury journal documenting pain levels and limitations
- Track all expenses related to the accident
- Avoid posting about the accident on social media
- Be aware of the 2-year statute of limitations — Fla. Stat. § 95.11
- Follow your attorney's guidance on all communications with insurers

**LEXPAIR TIP**

Without PIP as a safety net, motorcycle riders are more financially exposed after a crash than car drivers. Consulting a [motorcycle accident attorney](#) is generally one of the most important steps a rider can take. LexPair makes it easy — [start a free case evaluation today](#).

# Injured in a Motorcycle Accident?

LexPair connects people with verified, pre-screened [motorcycle accident attorneys](#) in Florida. The service is free, fast, and confidential.

## Start a Free Case Evaluation

[www.lexpair.com/start-consultation](http://www.lexpair.com/start-consultation)

**Email:** [contact@lexpair.com](mailto:contact@lexpair.com)

**Web:** [www.lexpair.com](http://www.lexpair.com)

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