



# When can a motorcycle rider claim compensation?

Laws relating to motorcycle riders are the same as laws for car drivers and the law of negligence applies. A motorcycle rider can claim damages (compensation through Compulsory Third Party (CTP) Insurance) providing that they were involved in an accident which can be either entirely or partially blamed on another party.

Usually it is the motorcycle rider who will come off second best in an accident. Whilst the compulsory wearing of helmets has assisted in preventing many head injuries, we still regularly see wrist fractures and leg injuries being incurred.

In addition we often see psychological reactions to accidents. Some motorcycle riders, once they have had an accident, refuse to resume riding motorcycles. This is unfortunate but may lead to additional compensation.

Riders should realise that they do not in fact need to be involved in an actual collision to be able to claim damages. Many riders suffer injuries in trying to avoid collisions and they may still be entitled to claim compensation as long as it was another party whose driving led to the mishap.

In all of this, what should not be forgotten is that riders may experience significant damage to their motorcycles as well. If that is the case, then steps need to be taken to try and recover that loss as well.

What we think is most important is that if you have had an accident and have suffered any injury or loss that you seek legal advice immediately. Notice should be given to the compulsory insurer as soon as possible and it is important that you receive early advice on what you can and cannot claim, how claims are assessed and what you should or shouldn't do along the process of a claim.

In large part, your legal costs are covered by the insurer so you should not feel that the issue of legal costs is one that should stand in your way or prevent you getting early and appropriate advice.

### How can Andersons help?

The personal injury team at Andersons is highly experienced in motor vehicle accident claims, including motor cycle accidents. We offer a free first appointment which will allow us to discuss your circumstances with you, explain the process and the likelihood of a successful claim. From here, you can then decide whether you would like to pursue the claim.

To speak with a lawyer or to find out more information, please call us on 8238 6666 or email [enquiry@andersons.com.au](mailto:enquiry@andersons.com.au)

You can find out more about [motor vehicle accident claims here](#) or see the [personal injury law team here](#).