

## **It's Unlikely You'll Be Sued by Another Cyclist, but Not Impossible**

There's an interesting article in the news currently about a pathologist in California who is alleged to be suing an entire group of twenty-five cyclists involved in a show and go and ride in which he was injured. From what I've read, there is a popular weekly ride in the Bay Area known as the Spectrum Ride. This is an aggressive ride which attracts riders of all abilities. Crashes with injuries are part of the event and are not all that uncommon. Anyone can show up at the prearranged time and take off. It is more like a race than a ride. Speeds of 30 mph on flats are expected. The course is on public roads with the usual traffic and traffic control issues.

In January, 2017, the plaintiff pathologist was injured when he was struck by another cyclist. The doctor claims he suffered head and other injuries which have affected his ability to continue to practice medicine. He named a particular rider who was alleged to have lost control of his bike and knocked the doctor off his bike causing his injuries. Rather than simply naming the person who struck him, the doctor has also sued the other 25 unnamed participants.

The tone of the article, of course, is suing another participant on a group ride is unusual; suing the entire group is largely unheard of. Proving these 25 participants were negligent in some manner could be a daunting task and more than likely the result would be that most of these claims would be probably dismissed. The defendants argue the doctor was aware of and assumed the risks involved in the event.

In another case, a widow in Tennessee sued the members of a pace line over a crash which resulted in the death of her husband. She alleged they were negligent in riding too closely, resulting in the wheel of one cyclist overlapping the wheel of her husband, causing him to go down.

Each of these cases would be governed by the law of the state in which the crash occurred. Generally cyclists, like drivers, are held to a standard of reasonable care. Proving one or more of them were at fault in causing an injury means

proving they breached their responsibility to ride in a reasonably safe manner under the circumstances.

One of the advantages of participating in rides organized by a cycling club is most clubs require members to waive, or give up, the ability to sue another rider on a club sponsored group ride even if they were injured by the negligence of another rider.

This protection isn't available for meet up and other similar unorganized groups who ride together. If a crash occurs and the injured cyclist can prove the negligence of another member of the group caused him or her to suffer an injury they could sue the negligent person in Florida.

These are still relatively rare events, but we hear of them from time to time. If the person who caused another rider's injury has homeowner's or renter's insurance they would be covered if they were at fault in causing a crash.

*Jim Dodson is a cyclist and an experienced injury & bicycle accident lawyer. Although his primary office is in Clearwater, he represents injury victims throughout Florida. He is a bicycle safety advocate and serves on the Board of the Florida Bicycle Association. He is also the author of the [Florida Bicycle Accident Handbook](#). For answers to your cycling questions, please visit [www.floridacyclinglawyer.com](http://www.floridacyclinglawyer.com).*

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