

## **Why It Matters if We Run Stop Signs and Red Lights on Our Bike**

I had lunch recently with a thirty year rider and the conversation touched on following the rules of the road when we ride. He is a member of one of the largest bike clubs in the state and they always emphasize the importance of obeying traffic laws even when it isn't convenient. He was also lamenting how many riders make decisions to ride as if the rules don't apply to them. We observed it had been our experience many times the most flagrant violators were often the fastest riders, although the issue isn't limited to them alone.

Here are some thoughts on why NOT following the rules is a bad idea:

First, when we set off on a ride we never consider the prospect of an unexpected collision with a vehicle. The reality is every rider who calls our office after a crash assumed it could never happen to them either. When the unexpected does happen, the actions of both the driver and the cyclist will be closely dissected in detail. Any evidence the cyclist violated a traffic statute will be argued to be "comparative fault" on their part. Every percentage of fault applied to the cyclist reduces the value of their case by that amount. The defense will be trying to put as much fault as possible on us, just as we are working to put as much as possible on the driver.

Running a stop sign or red light and getting hit is a slam dunk helping the defense. Even a common "roll through" at the wrong time can have a huge impact on a liability case.

In a recent case, our client's sworn statement during his deposition under oath was he had stopped at a red light before the driver made a right turn into him. Another witness, however, complicated things by insisting the cyclist never stopped and rode into the vehicle after it began to turn right. This put the cyclist's actions in question and under the microscope. Questions followed such as: "Do you stop for stop signs and stop lights when you ride? Do you recall ever riding through one without stopping?" Setting aside whether those responses would be admitted at a trial, how bad would it have been for him if he had to truthfully admit he commonly

failed to stop or even that there were occasions when he did not stop. What a gift to the insurance company it would have been since it would have supported the defense narrative he did not stop before impact.

Second, when I speak to cycling groups I remind them how much animosity exists on the part of drivers against cyclists. The comments we hear from prospective jurors about this is astonishing. Too many of them consider us to be reckless law breakers who do not stop at lights and block the entire lane on group rides. Our actions on the bike are not in a vacuum. We are always being observed and much of what people see they don't like. Keep in mind our actions are affecting the "jury pool" from whom jurors will be chosen to hear our next cycling injury case.

We expect drivers to obey the law and get indignant when they don't. It matters that we do the same.

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