



# North Carolina Motorcycle Accident Lawyers

Due to their size and weight compared to other motor vehicles, there are many unique factors involved when handling a motorcycle accident case. Not only do motorcyclists face heightened risks of severe injuries, but there are also specific legal issues that must be considered. The motorcycle accidents lawyers at Martin & Jones have nearly 40 years of experience helping motorcyclists get the compensation they need to make a full recovery and rebuild their lives after an injury on the road. If you've been injured in a motorcycle accident, our North Carolina motorcycle accident lawyers can help.

When motorcyclists are injured in an accident, they face a number of challenges in addition to their injuries. One reason is that there is often an anti-motorcycle bias that shapes how insurance companies and others will treat your claim, as many people consider motorcycles to be inherently dangerous and assume that riders typically drive dangerously. Another possible challenge that riders face following an accident is a potential contributory negligence claim. If you have been injured in an accident, a North Carolina motorcycle accident attorney can protect your rights and help you get fair compensation for your injuries and other losses.

## North Carolina Motorcyclists Face Severe Injuries

Motorcyclists are more likely to suffer severe injuries in an accident than other motorists. There is no debate that motorcycles are much smaller and lighter than other vehicles on our North Carolina roadways, and motorcyclists have only their helmet and other protective gear to protect them in the event of an accident. When an accident happens, motorcyclists face the following injuries:

- Traumatic brain injuries and concussions
- Spinal cord injuries
- Broken bones
- Torn ligaments and tendons
- Severe lacerations

In addition to these physical injuries, it's not uncommon for motorcyclists to suffer from PTSD, depression, and anxiety following their accident.

## Common Causes of Motorcycle Accidents

Due to their comparatively small size, visibility is one of the biggest challenges for motorcyclists. In defense of a lawsuit, our North Carolina motorcycle lawyers often hear drivers report that they didn't see the motorcycle prior to the accident. Common causes of motorcycle accidents throughout North Carolina include:

- **Left-turn accidents:** These accidents occur when the other driver turns left in front of a passing motorcycle or one approaching in the oncoming lane.
- **Head-on collisions:** These accidents occur when the other driver moves into the oncoming lane to pass and collides with a motorcycle coming from the other direction.

- **Lane change accidents:** Many accidents occur when a vehicle changes lanes first without checking their mirrors and side-swipe a motorcycle in the adjacent lane.

In addition to these accidents related to visibility, many motorcycle accidents are caused by the following:

- **Distracted driving:** Cell phones are the most obvious culprit, but any activity that results in the driver paying less than full attention to the road can result in an accident.
- **Driving while drowsy:** Drivers who are falling asleep at the wheel are less alert and have slowed reaction time, making them more likely to cause an accident.
- **Driving while under the influence:** Similar to distracted or drowsy driving, drivers who are under the influence pose incredible hazards to motorcyclists.
- **Tailgating:** Many drivers don't realize that motorcycles can stop much more quickly and in less distance than they can. A driver who is tailgating a motorcycle may be unable to avoid an accident if the motorcyclist has to stop quickly.

Proving the cause of your accident is critical to your case. An experienced North Carolina motorcycle accident attorney will know how to gather the evidence you need to build a successful claim.

## How a Contributory Negligence Claim Can Affect Your Case

North Carolina is one of a very small number of states that follows the pure contributory negligence rule. The pure contributory negligence rule prevents injured claimants from receiving compensation if their own negligence contributed to the accident in any way, even if their negligence was minimal when compared to that of the other driver.

This can lead to especially harsh results in the context of a motorcycle accident because riders are at significant risk of severe injury in the event of an accident. The following could be considered contributory negligence and be used against you to deny your claim:

- Riding without a helmet
- Riding while under the influence of alcohol
- Speeding
- Unsafe lane changes

Potential contributory negligence claims are one of the reasons why you should contact an attorney if you have been injured in a motorcycle accident.

# How a North Carolina Motorcycle Accident Attorney Can Help

Contributory negligence is an affirmative defense, which means it must be raised by the opposing party. You do not need to worry about it until it is raised, but you need to be prepared in the event that it is.

Just like you have to prove your case, it isn't enough for the other side to merely assert that you were contributorily negligent. In order to successfully raise the defense, the other party needs to prove two things:

1. That you were negligent; and
2. That your negligence contributed to causing the accident.

For example, you may have been speeding, but it may not have contributed to the accident if the other driver suddenly swerved into your lane without warning. Alternatively, they may not have any evidence that you were speeding in the first place.

A North Carolina motorcycle accident attorney who has experience in handling motorcycle accident claims will be able to identify whether contributory negligence may be an issue in your case. From there, they can require that the other party prove their claim, challenge their evidence, and introduce evidence that proves you were not negligent or that your negligence did not contribute to the accident.

## Hit-and-Run Motorcycle Accidents

Hit-and-run accidents are also common for motorcyclists. This could be because there is relatively little damage to the other vehicle, and the other driver panics and leaves the scene. Or, the other driver forced you off the road and either doesn't realize you had an accident or that it was their fault. In either case, these are very complicated situations. There may be no other witnesses, and evidence that proves what happened can be difficult to come by. If you've been injured in a motorcycle accident and don't know who hit you, a North Carolina motorcycle accident attorney can help you navigate the claim process and build your case so that you can get the compensation you deserve.

## Call the North Carolina Motorcycle Accident Attorneys at Martin & Jones for Help

If you've been injured in a motorcycle accident, you need someone on your side. We understand the challenges you are facing, so we provide dedicated, aggressive legal representation to help you rebuild your future. If you'd like to schedule a free consultation with one of our attorneys, call us at [1-800-662-1234](tel:1-800-662-1234) or [contact us online](#) to discuss your case and how we can help. We have office locations in [Raleigh](#), [Durham](#), and Wilmington North Carolina.