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Legal Insights

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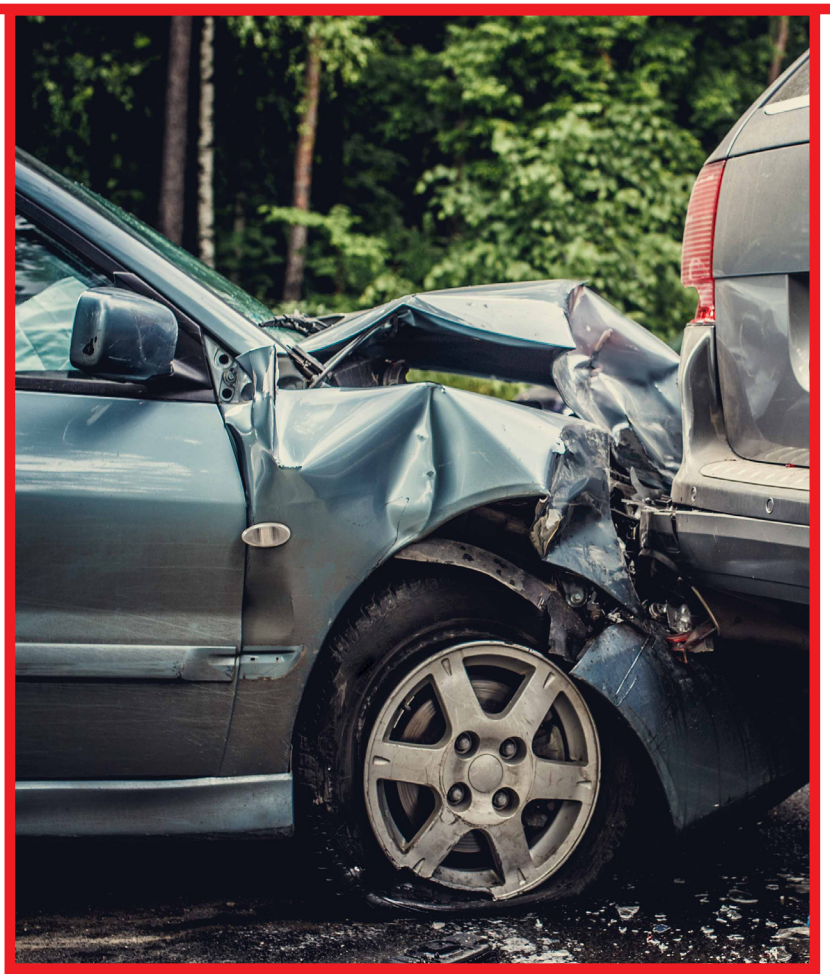
I Have Car Insurance, but am I Properly Covered?

By Barrie E. Bazarsky, Esq.



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Perhaps you have wondered what a personal injury attorney does. Maybe you have heard there are plaintiff's personal injury attorneys and there are defendant personal injury attorneys. When you are a plaintiff attorney, it means representing individuals who sustain injury due to the negligence of another.

Most cases arise from car accidents, so plaintiff attorneys get to see first-hand the impact of choices made in insurance coverage.

In this case, like many times the old adage "you get what you pay for" is very true.

You cannot rely upon the coverage chosen by the "fault" party, and you therefore have the unique opportunity to protect yourself.

Automobile insurance provides coverage in multiple areas – no fault (medical payments and lost wages), bodily injury, and uninsured/underinsured coverage as well as bodily injury coverage in the event you injure another party.

If you are injured in a car accident in New York, your medical bills are paid for by the car you are in (for pedestrians, bicyclists, and certain others, coverage is provided by the negligent party). The mandatory minimum coverage is $50,000 inclusive of $2,000 per month in lost wages. You can purchase excess coverage in both categories (called A-PIP).

Bodily injury is what you think of in case someone makes a claim against you so that you are sure to protect your assets. The amount you carry in that category also allows you to purchase uninsured/underinsured (SUM) coverage for you, someone in your car, or someone in your household, in the same amount. Much as you might like, you cannot purchase more SUM than you can bodily injury. This way, if someone injures you, and they have no insurance or too little insurance, for the value of your injury, you provide yourself with possible additional recovery.

There is also collision coverage, spousal coverage, rental coverage, and on and on.

I recommend having a knowledgeable personal injury attorney review what you pay for to ensure that you are properly protected. Insurance companies, for the most part, do not owe you a fiduciary duty.

Barrie E. Bazarsky, Esq. is a Senior Associate at Futterman Lanza, LLP, focusing on personal injury. She has practiced in this area exclusively for over thirty years, allowing her to provide clients with compassion, fierce advocacy, knowledge, and experience. Her case results have been published by the New York State Law Journal and in the New York Jury Verdict Reporter. Barrie has extensive experience helping people with all types of personal injury accidents. Free case analysis.

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