Any auto accident can be complex and overwhelming. Accidents occurring while an Uber drive has been requested or when the Uber driver is driving a passenger complicate matters even more.

Uber is a ride-share program coordinated via a mobile phone app that allows anyone to request a ride. The process is fast, simple, and easy compared to requesting a taxi. But what if there is an automobile accident during this process? With Uber-related accidents, how to recover all medical expenses and property damage is not clear-cut. Additional steps must be taken immediately after the accident to secure rights to recovery. Further, there are three insurance policies that may be responsible for paying damages, not two: the Uber policy, the Uber driver’s personal policy, and the other driver’s policy.

Under the Uber insurance policy required by all Uber drivers, there is liability coverage up to $1 million if the Uber driver is found at fault for an accident and $250,000 uninsured or underinsured motorist bodily injury coverage (UM/UIM) with a $1,000 comprehensive and collision deductible for property damage. Thus, if an uninsured vehicle negligently hits an Uber vehicle during an Uber ride, the passenger may recover damages under the Uber UM/UIM coverage, and the Uber driver may also recover all his or her personal injury and property damage through the same coverage. However, the Uber policy will only be effective while the Uber driver is using the vehicle for Uber drive purposes; it does not cover any accidents occurring when the vehicle is being used for personal use. Thus, when an Uber driver is injured in an accident during personal use, the driver’s personal insurance policy will control, not Uber. It is important to know the terms of the personal insurance policy as sometimes there are no restrictions for ride-share purposes, so this policy will cover accidents not only during personal use but also during ride shares.
Additionally, if the at-fault driver does have insurance, then this insurance policy would be the first place to submit claims for all damages that were incurred. This includes damages to both the passenger and Uber driver as well as property damage to the Uber vehicle. Then, if the limits of the at-fault driver’s insurance are reached, Uber’s underinsured motorist coverage will kick in to help cover any additional medical expenses incurred, so that those injured by a negligent driver may receive the maximum compensation possible.

Thus, whether your client is an Uber driver or passenger injured in an auto accident with an at-fault party, the first call must be to the police to write a police report, which will gather the following information: (1) names and contact information for all drivers/vehicles involved in the accident, (2) insurance policy for the at-fault driver, (3) Uber insurance policy, (4) Uber driver’s personal insurance policy, (5) all vehicle license plates, (6) pictures of all vehicles including their license plate, (7) pictures from the scene of the accident, (8) pictures of all bodily injuries including abrasions and more, (9) pictures of all property damage, (10) names and contacts for any witnesses, (11) any ambulance bill, hospital records, hospital bills, physicians bills, police reports, and any other treatment. In certain situations, it is possible to recover from all three insurance plans: the Uber policy, the Uber driver’s personal policy, and the at-fault driver’s policy.

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**SOLO, SMALL FIRM AND GENERAL PRACTICE DIVISION**

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