

I was a passenger in an Uber accident. What should I do?

Our Houston lawyers explain the legal options available to you

Millions of people each day and billions each year use Uber across the country and in large cities like Houston, according to [statistics compiled for the ridesharing company](#). In Houston in particular, Uber has the largest market share versus Lyft compared to all other major cities in the United States, according to [Bloomberg Second Measure](#).

With so many people taking rides each day in an Uber vehicle, accidents are bound to happen. Each year, many people are seriously injured or killed in [Uber accidents](#) throughout the country, according to [Uber's annual US Safety Report](#). In fact, researchers believe fatalities involving Lyft and Uber accidents have been responsible for the overall increase in traffic fatalities nationwide during the past decade, according to a study done by researchers at [University of Chicago and Rice University in Houston, Texas](#).

So what should an Uber passenger do if they're injured in a [car accident](#)? What are their legal options? Who's responsible for paying for their crash? These are very important, yet often complicated, questions. That's why it's critical that Uber accident victims understand their rights if they get hurt. Otherwise, they might not get the money they deserve for their injury-related expenses.

Why does it matter if my Uber driver was on duty?

One of the most important factors when dealing with an Uber accident involves whether or not the driver was on duty at the time of the accident. While this might seem like a minor detail, whether the Uber driver was working at the time of the crash can make a dramatic difference in how you're financially compensated for your accident.

In particular, you may be able to obtain money for your accident-related expenses from several different sources if the driver was on duty at the time of your crash. This can be important since accident-related expenses for injured Uber passengers can quickly add up to thousands of dollars or even significantly more.

How do I know if my Uber driver was on duty?

Sometimes, there is some debate about whether an Uber driver was on duty at the time of the accident. If you were a passenger in the vehicle at the time of the crash, the driver should absolutely be considered on duty. Uber drivers are also considered on duty if they're engaged in any of the following activities:

- Looking up directions for an Uber journey, even if the vehicle is stopped
- Driving to pick up an Uber customer
- Driving with the Uber app on

Many Uber drivers often try to claim they were off duty at the time of the accident. Don't take their word for it. Get a lawyer after your accident who understands how the legal system works in your state when it comes to ridesharing accidents.

Who determines who was at fault?

Many people often weigh in on who caused the crash after an Uber accident. First, state or local police officers often investigate the accident first. Then insurance companies and their attorneys often get involved.

The Uber driver's insurance company in particular often has a lot to say about who was at fault. That's because such companies often have the most to lose. As a result, insurance companies for the at-fault party often conduct an in-depth investigation in an attempt to avoid responsibility.

Fortunately, your attorney can be part of these discussions. Instead of insurance companies and their lawyers dictating what happens, your lawyer can present evidence in support of your Uber accident claim. That's why it's critical that you have a legal team on your side looking out for your best interests.

What should I do after my Uber accident?

If you were a passenger in an Uber vehicle involved in a crash and you sustained a serious injury, it's important that you take certain steps to protect your rights and your health. Such steps often include:

- Seek immediate medical attention. Whether it's going straight to an emergency room or being examined by a doctor several hours or days later, don't take chances with your health. Have a medical professional examine you and diagnose exactly what's wrong.
- If you're healthy enough to do so, get the Uber driver's full name, address, driver's license information and best contact number. If not, ask someone you trust to get this information for you.
- Make sure the police respond to your accident, particularly since you sustained an injury in the crash. Injury accidents should always be investigated by the police.
- Get the investigating police officer's name. That way, you can contact the officer later and get a copy of the official accident report for your crash. Each state has its own unique accident report. In Texas, for example, this report is called the [Texas Peace Officer's Crash Report](#).
- Don't discuss your accident with the Uber driver or anyone else. Only talk to the investigating police officer. Anything you say about the accident could be later used to reduce or deny your injury claim.
- If the Uber driver's insurance company contacts you, don't talk to them. Their questions might seem innocent or straightforward. Most insurance companies for the at-fault driver simply want to gather information they can use against you to deny your injury claim.
- Contact a lawyer right away. The sooner you have an attorney working for you and investigating your crash, the better.

What expenses can I be compensated for?

You can and should be financially compensated for all your accident-related expenses. What you might not realize is such expenses are not just the short-term ones immediately after your accident. You should be compensated for all current and future expenses, including any years in the future. Such expenses can include:

- Emergency medical care immediately after your accident

- Follow-up surgical procedures for serious injuries with long-term health effects
- Prescription medications for chronic pain due to your accident
- Physical therapy for serious long-term injuries
- Replacement income if you cannot work during your recovery
- Lost future income if you cannot return to work due to a permanent disability

You didn't do anything wrong. You shouldn't have to pay for any expenses associated with an accident involving an Uber driver. Learn more about your legal rights. Talk to a lawyer today.

Who will pay for my Uber accident?

One of the factors that makes Uber accidents so complicated is Uber drivers are technically independent contractors. Unlike many traditional taxi drivers, many Uber drivers are not classified as full-time or even part-time Uber employees. Even so, Uber may still technically be responsible for financially compensating you for your crash.

This is because Uber has a commercial liability insurance policy for each Uber driver. Such insurance policies provide up to \$1 million per accident for crashes involving an Uber driver with a passenger at the time of the crash. Such compensation is intended for injury-related expenses (including medical bills) and property damage. Even so, certain circumstances often need to apply, including evidence proving that the Uber driver was actually on duty at the time of the crash.

So who will ultimately pay for your accident-related expenses? Depending on the circumstances of your crash, one or several different parties may be responsible for compensating you. These parties may include:

- Uber
- The Uber driver
- Uber's insurance company
- The Uber driver's insurance company

Don't try to tackle your crash on your own. Make sure you fully understand who's legally responsible for compensating you for your crash. Talk to an attorney familiar with these types of complicated cases in your state.

What if Uber denies my accident claim?

Don't be surprised if Uber or its insurance provider denies your accident claim. These corporations often try to deny responsibility by citing various reasons for denying your claim, including the Uber driver not officially being on duty at the time of the accident. Other times, they might try to claim that another driver was at fault and that it's up to you to deal with the other driver's insurance company on your own.

When this happens, don't let these companies dictate what happens to you. Don't contact them directly yourself, as well. Again, anything you say or write to them could later be used as evidence to deny your claim. Have your lawyer deal directly with these companies on your behalf. Experienced attorneys know how to negotiate effectively with insurance companies, large corporations and their lawyers.

What are my legal options?

If you sustained an injury as a passenger in an Uber accident, you often have several options available to you:

- Accept a settlement offer from Uber or the at-fault party's insurance company.
- Negotiate a better settlement offer for your accident-related expenses.
- File a lawsuit or take other legal action against Uber or the at-fault party's insurance company.

In each case, an attorney working for you can help with all these options. Our experienced Houston Uber accident lawyers at [Smith & Hassler, Attorneys at Law](#), thoroughly understand the rules and regulations governing Uber drivers in Texas. To learn more about how we can help you with your case, [contact us](#) and schedule a [free consultation](#) at our law firm.