Maryland Rideshare Accident Lawyer

Rideshare apps are becoming more and more popular. Whether you are looking for the convenience of door-to-door service, avoiding finding and paying for parking, or you just want a sober driver behind the wheel, rideshare companies are growing at an accelerated pace. But using a rideshare company can bring about questions regarding liability and responsibility for passengers and other motorists. A rideshare accident may look like a typical car accident at first, but the legal and insurance issues can be very different. If you were injured in an accident involving a rideshare driver, a Maryland personal injury lawyer can help determine who may be responsible and what insurance coverage may be available.

What Are the Common Causes of Rideshare Accidents in Maryland?

Rideshare drivers spend much of their time navigating busy roads while responding to requests and locating passengers. Distracted driving, speeding, unsafe lane changes, and failure to yield can all lead to crashes. Drivers may also make sudden stops or turns while looking for a pickup location rather than focusing fully on surrounding traffic.

Other accidents happen when drivers follow too closely, make improper turns, drive while fatigued, or fail to adjust to traffic and weather conditions. A driver may also become distracted by the rideshare app while accepting a request or communicating with a passenger. While driving for a rideshare company does not automatically make the company responsible for an accident, the driver’s conduct can affect both liability and the insurance coverage available.

Who Can Be Held Liable After a Rideshare Accident in Maryland?

Liability depends on the facts of the crash. The rideshare driver may be responsible if they caused the collision through negligent driving, but another driver may also share responsibility. In some cases, a vehicle manufacturer, maintenance provider, or another party may have a role in causing the accident. The rideshare company’s insurance coverage may apply even when the company itself is not legally responsible for the driver’s conduct. Because Maryland follows the strict contributory negligence rule, identifying each party’s role in the accident is important.

How Rideshare Insurance Coverage Works in Maryland

Rideshare drivers generally use their own personal vehicles while acting as a rideshare driver. This means liability and insurance coverage must be further investigated. In addition, laws and regulations are constantly evolving, so it is important to contact a rideshare attorney for up-to-date information.

Most rideshare drivers bear responsibility for their own negligence, including speeding, distracted driving, or running through a traffic signal. If a third-party driver caused the collision, that driver’s insurance is primary. Uber/Lyft drivers are not classified as employees of the rideshare company. They are considered independent contractors. This makes it more difficult to hold Uber/Lyft directly responsible.

Every driver in Maryland is required to obtain their own policy of car insurance for liability coverage. The minimum in Maryland is $30,000/$60,000. This means that for a single accident, one person may obtain a maximum of $30,000 in coverage. If two or more people are involved in an accident, then $60,000 must be split between all injured parties.

In Maryland, both personal auto insurance and the rideshare company’s commercial insurance generally do not pay out simultaneously for the same claim.

Rideshare companies such as Uber and Lyft use a three-tiered standard model for evaluating insurance coverage.

1. When an Uber/Lyft driver is not logged into the application, the driver is a common motorist, and whatever level of insurance protection they carry personally will be the amount of insurance available for a claim.
    a. *Important: most insurance carriers do not provide coverage when a driver is using the application or using their own car for business purposes.*

2. When the driver is logged in, but no ride has been accepted, Uber and Lyft offer Maryland residents contingent coverage of $50,000/$100,000/$25,000. This means for a single accident, there is $50,000 in coverage available for one person, $100,000 in coverage available for all injured persons combined, and $25,000 in coverage for property damage. Drivers in this stage also carry no coverage for UM/UIM and no coverage for comprehensive/collision.

3. Greatest protection applies when a driver has accepted a trip from an application user and extends until the passenger has been dropped off at their desired destination. This coverage is $1,000,000 in liability coverage (split if more than one person is injured), $100,000,000 in UM/UIM, and ACV (actual cash value for property damage, after payment of a $2,500 deductible).

After an accident, determining the driver's exact status can help identify the coverage available for the claim. Rideshare companies keep data on each of the drivers authorized to accept rides. This information can be critical as it will determine when a driver is logged on, when a driver is waiting for a ride, and when a request is accepted.

All Rideshare Applications are Not the Same

Most personal automobile policies in Maryland contain a "ridesharing exclusion", which voids personal coverage the moment a driver logs into a commercial application to pick up fares.

For Uber, insurance works in the three-tiered process above. No coverage when not logged into the application. However, if the application is on and the driver is on the app and waiting for a ride request, Uber acts as contingent coverage that steps in only if the personal insurer denies the coverage. So, in this case, a driver's personal insurance is primary. But if the personal policy includes a "rideshare exclusion", or if the driver's personal insurance has lapsed or been cancelled, Uber steps in as contingent coverage. If a driver is en route to a passenger or transporting a passenger, personal auto insurance coverage does not apply at all because standard personal policies exclude commercial rideshare use.

For Lyft, a driver's personal policy and Lyft's commercial policy do not blend or pay out simultaneously for the same loss. Lyft strictly applies the three tiers above, which are mutually exclusive depending on whether the Lyft app was turned on and if a passenger match was active.

If the app is turned off, Lyft provides zero coverage. If the app is on, and the driver is waiting for a ride request, Lyft provides contingent coverage only if the driver's personal auto insurer formally denies the claim. If the driver is en route, Lyft provides $125,000 in third-party liability insurance, one single limit for bodily injury and property damage. If a driver is carrying a passenger, Lyft provides $1,000,000 during an active ride. The driver's personal policy does not participate or contribute.

How Maryland's Contributory Negligence Rule Can Affect Your Claim

Maryland follows contributory negligence rather than the comparative negligence system used in most other states. Under this rule, an injured person who contributed to their own injury is not able to recover damages from another negligent party. If both drivers are determined to have some percentage of negligence, all drivers may be barred from personal injury recoveries. This is a strong incentive for an insurance company to look for evidence that the injured person also acted negligently, even when another driver caused the crash.

As a passenger in Maryland, you are almost always considered not-at-fault in an accident, which is important for the contributory negligence rules in Maryland.

That makes proving fault especially important in rideshare accident claims. Photographs, witness statements, accident reports, traffic-camera footage, vehicle data, and rideshare records may help establish what happened and who caused the collision.

What Compensation Can You Recover After a Maryland Rideshare Accident?

A person injured in a rideshare accident may be able to recover compensation for medical treatment, lost wages, property damage, and other financial losses caused by the crash. Serious injuries may require ongoing medical care or rehabilitation, and an injured person may lose income while recovering or face reduced earning capacity in the future. The value of each claim is individual. No two claims are identical, and each depends on the facts and circumstances involved.

Compensation may also address losses which cannot be added with a calculator; this includes pain and suffering and the effect an injury has on a person's daily life. Insurance companies may focus on the dollar amounts of the bills that already exist, while a claim may also need to account for future medical care or other long-term consequences. Keeping records of the injuries, expenses, treatment, and changes to daily life can help show the full extent of the damages.

What Steps You Should Take After a Maryland Rideshare Accident

The first priority after any crash should be safety and medical care. If you can do so safely, take steps to document what happened before the scene changes.

- Call 911 and report the accident.
- Seek medical attention, even if you initially feel fine.
- Exchange contact and insurance information with the other driver.
- Ask the rideshare driver which company they drive for.
- Take photographs of the vehicles, road, traffic signals, visible injuries, and surrounding area.
- Get contact information from witnesses.
- Keep a copy of the police or accident report.
- Report the accident to the rideshare company through the appropriate app or claims process.
- Save any messages, receipts, trip information, or other records from the rideshare app.
- Keep records of medical treatment, prescriptions, transportation costs, lost wages, and vehicle repairs.
- Avoid admitting fault or making assumptions about who caused the accident.
- Be cautious about giving a recorded statement to an insurance company before understanding your rights.

Some injuries do not appear immediately after a crash. Follow up with a medical provider if symptoms develop and keep records of the treatment you receive.

Remember, information is most available at the time of the accident or injury. After a period of time, it is harder to preserve evidence, locate witnesses, obtain traffic cameras, and other valuable information. Start preserving evidence immediately after the accident.

How Long Do You Have to File a Rideshare Accident Claim in Maryland?

What makes Maryland different from other states is they provide a three-year statute of limitations. For accidents occurring after October 1, 2024, non-economic damages are capped at $950,000, which increases $15,000 a year each October 1 and thereafter. Maryland also provides coverage in the situation where a driver's personal insurance has lapsed or expired. In this case, Uber/Lyft must cover claims from the first dollar.

Although injured persons have three years to file suit from the date of the injury, this timeline may be shortened or require special procedures if local, state, or federal government agencies are involved.

Why Choose Joseph, Greenwald & Laake for Your Maryland Rideshare Accident Case?

Joseph, Greenwald & Laake represents individuals who have suffered serious injuries and families who have lost loved ones because of another party's negligence. Our attorneys investigate the circumstances of each accident, review the available evidence, and work to identify the parties and insurance coverage involved. We understand that a serious injury can affect a person's health, finances, employment, and daily life, and we build each case around the client's circumstances.

Work With an Experienced Maryland Rideshare Accident Lawyer

A rideshare accident can leave you dealing with medical bills, missed work, vehicle damage, and uncertainty about where to turn for compensation. The insurance process can become more difficult when the driver's personal policy and rideshare coverage overlap. If you were injured in a Maryland rideshare accident, our attorneys can help you understand your options and determine how to move forward. To learn more about your legal options or schedule a consultation, contact JGL here.