

The Brown Report

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UNINSURED MOTORIST INSURANCE.... WHAT IS IT AND WHY YOU NEED IT



By Tom Brown

It is absolutely amazing that at our first meeting, most of my automobile accident clients, tell me that they have “full coverage” auto insurance because that is what they think they purchased. Unfortunately, what we discover is that they only have the minimum full coverage. The insurance agent does not talk about what is minimum. That is what this article is all about. Here is a simple example:

You are driving along the highway at the appropriate speed and you approach an intersection. You have the green light and you are moving through the intersection. From the other direction a large 2006 Chevy Silverado Pickup truck approaches the intersection as well, but the driver is on the cell phone as he/she drives right through the red light. The pick-up truck “T- bones” your vehicle causing you a cervical disc injury that may require physical

therapy, injections, medical treatment and ultimately a one level cervical spine operation. Combined with the neck injury you also sustained an injury to your elbow, likewise needing surgery because you have a nerve entrapment as a result of broken bones in your elbow.

Your agent sold you minimum “full” coverage. You have \$25,000 of liability insurance and NO uninsured motorist coverage.

You have no group health insurance or health insurance with a huge deductible and you look to get paid for your injuries by the negligent driver’s insurance company so that you can have the necessary surgeries. The total cost of these two surgeries plus the cost of the treatment before and after surgery will be at least \$125,000, plus the

doctor's charges, hospital charges, medication, etc. The driver for the 2006 Silverado is "fully covered" just like you. What does that mean? It means that he/she can legally have the minimum coverage of \$25,000 in insurance that we will collect from the driver's insurance company. If that is all the insurance coverage this person has purchased, that means this is all we can get. Unless you will personally sue this person (I must tell you that no lawyer wants to do

As you can see, there still may not be enough money to cover two major surgeries. However, you will stand a much better chance of recovering an appropriate amount of money for your serious injuries. If you did not purchase the UM coverage then you will barely receive money to pay for some therapy and for some medication and perhaps one or two injections (at \$3,000 each).



that, because the driver may file bankruptcy at any time making the entire issue moot), you have no way to pay for your medical care.

If I had advised you before you purchased this policy of insurance I would have told you that you need to tell your agent that they need to provide you with UM insurance. If you have purchased liability insurance for \$100,000 which covers you when you are responsible for the accident, then you can also purchase UM coverage for the same amount, this allows you to add on UM coverage so then we can do the following for you in this example:

- We will make the case for the full \$25,000 of the policy of the at fault driver
- We will make a claim against your own insurance company for up to \$100,000 (and your premium will not go up because you were not at fault).

The moral of the story is to always purchase Add On UM insurance coverage. There are too many people on the highways who have purchased minimum coverage. There is no requirement under Georgia Law that requires people to have any UM coverage. If you are not purchasing UM coverage you are proceeding at your own risk when at least 40% of people driving on the Georgia roads at this minute have only the minimum liability coverage for their automobiles.

Please be advised accordingly and please always consider purchasing UM insurance. The cost is very small and the benefits are great. If you drive, you need UM coverage to protect you and your family from possible financial disaster or hardship.

So, what is in your policy?

ADDITIONAL THOUGHTS ABOUT UM/UIM



The Insurance Research Council (IRC) estimates that 1 in 7 drivers is uninsured. This means 1 in 7 drivers have no automobile insurance coverage whatsoever. True, this is illegal but you and your loved ones, your family, could reap the foul consequences of someone else's bad behavior unless you take action!

Television commercials emphasize the lowest premium rates which means many consumers will buy only the bare minimum coverage. In Georgia, that can mean buying no UM/UIM at all. This is a tough decision to make, especially for young people struggling with school debts and part-time jobs.

So many insurance agents do not take the time to explain what UM/UIM actually is. If they did, using my example on page one of this newsletter, thousands more would purchase this insurance. (The cost is about 5% more in premium charges for 6 months).

And by the way, if your insurance agent fails to offer you UM/UIM and you can prove it and you suffered damages, you could sue the agent for a "failure to offer" this coverage under the agent's errors and omissions part of his/her coverage.

If you have been in an automobile accident in Metro Atlanta and you know you have UM/UIM coverage, you must notify your insurance company that you could possibly be pursuing a claim for damages under these policy provisions. Your insurance company may want you to give them a recorded statement and you must cooperate.

The personal injury lawyer has a duty to request a copy of the rejection of UM coverage or rejection of matching UM and liability limits.

ABOUT TOM BROWN



Tom has been practicing law in the metro Atlanta area for 41 years. He specializes in 3 areas of law, all related by injuries: Job accidents (workers' compensation), automobile accidents and Social Security disability claims.

Tom and his staff of 3 paralegals are ready to help you, to guide you and to counsel you through any of these three types of claims. We are not a high volume office which means we give attention to each of our clients, not trying to get your case closed in a hurry so we can move on to others we receive through TV or billboard advertising as other lawyers do.

Personal attention, helpful medical guidance to the best specialized physician in metro Atlanta and superior knowledge will get for you the best possible outcome (swiftly and efficiently).

We will first speak with you by phone to determine if we can possibly help you. Then we will set up a free in-office consultation. You will then have the right to go elsewhere at no cost or sign a contract with us for representation. The choice is yours. We would like to have a chance to help you. Call us.

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