

L. Micha Ordway, Esq.

Bousquet Holstein PLLC



Did You Know?

Legal Insights that All Bicycle Riders Should Know.

I have been a rabid cycling fan since I raced for my high school team in the 1980's. Yes, I do spend weeks each year watching all three grand tours on television. As a passionate cyclist and self-proclaimed fitness nut, I am happy to see that bicycle usage has increased significantly in the United States over the last few years. While this is wonderful, the unfortunate consequence of increased bicycle usage is increased conflict between cyclists and automobiles. In fact, 51,000 accidents between automobiles and cyclists were reported in 2009 alone.

Did you know?

In New York, bicyclists are considered "other persons" and, therefore, are "covered persons" entitled to first party benefits under New York's No Fault law. As such, an injured bicyclist may be entitled to medical treatment and healthcare services, limited lost earnings for up to three years and other reasonable and necessary expenses under the No Fault law (these damages are capped at \$50,000). An injured bicyclist may also seek compensation from a driver for common law negligence for non-economic losses after establishing that he/she suffered a "serious injury".

While it is wonderful that a bicyclist is entitled to No Fault benefits and may be able to recover compensation from a negligent driver, the reality remains bicyclists have risks that the drivers do not. We also know who "loses" in a collision between a car and a bike. I have been hit by cars several times over the years. While I was not seriously injured, the result sometimes is not pretty for the bicyclist.

Did you know?

In New York, the Vehicle and Traffic Laws apply to bicyclists. As such, every person riding a bicycle upon a roadway shall be granted all the rights of a vehicle. However, bicyclists are also bound by all of the duties applicable to the driver of a vehicle except as to those provisions which by their nature can have no application.

Did you know?

A bicycle shall be driven either on a usable bike lane or, if no lane is provided, near the right hand curb or edge of the roadway or upon a useable right hand shoulder in such a manner as to prevent undue interference with the flow of traffic. An exception exists when the bicyclist is preparing for a left turn or when reasonably necessary to avoid conditions which would make it unsafe to continue along near the right hand curb or edge. Conditions to be considered include fixed or moving objects, vehicles, bikes, animals, pedestrians, surface hazards or traffic lines too narrow for a bike and vehicle to travel safely side by side within the lane.



Micha Ordway presenting bicycling rules of the road to the Syracuse Bicycle Women's Riding Club

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Did you know?

Every bicycle when in use for the period from one-half hour after sunset to one-half hour before sunrise shall be equipped with a lamp on the front which shall emit a white light visible during hours of darkness from a distance of at least five hundred feet to the front and with a red light visible to the rear for three hundred feet and at least one light visible to the side two hundred feet.

Did you know?

No person shall operate a bike unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred feet, except that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle.

Every new bicycle shall be equipped with reflective tires or, alternately, a reflex reflector mounted on the spokes of each wheel, said tires and reflectors to be of types approved by the commissioner. The reflex reflector mounted on the front wheel shall be colorless or amber, and the reflex reflector mounted on the rear wheel shall be colorless or red.

Did you know?

New York law specifically describes the method for giving hand and arm signals.

1. Left turn. Left hand and arm extended horizontally.
2. Right turn. Left hand and arm extended upward or right hand and arm extended horizontally.
3. Stop or decrease speed. Left hand and arm extended downward.



A wrecked and broken bicycle laying on the side of the road next to a car evokes the greatest fear of many cyclists, including me. Bicycling accidents can occur in other ways as well. Bicycling accidents can occur due to collisions with pedestrians or "traffic furniture". They can even occur because of mechanical failures or design defects of the bicycle itself or its components. Bicyclist also have unique rights and duties under the New York Vehicle and Traffic law. As such, bicycling accidents are not exactly the same as the average automobile accident or negligence claim and they should be evaluated thoughtfully and handled in light of these differences. That said, resolving a bicycling accident claim can be an arduous and challenging undertaking that requires dauntless advocacy. After all, at the end of the day no one hires the litigation attorney to be a nice guy.

Success requires setting realistic goals, intelligent tactics, meticulous preparation and seasoned, confident counsel. My experience representing both plaintiffs and defendants in and out of the courtroom along with my ferocious advocacy have made me a sought-after attorney for corporations and individuals alike. I assist my clients with determining their needs and goals. Together we generate strategies designed to achieve the best outcomes possible – all the while keeping the economics of litigation in mind.

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