

What to Do if You're Injured as a Passenger in a Florida Car Accident

A skilled Palm Beach County attorney can fight for maximum compensation

You were just along for the ride. Maybe you were headed to work, or to the beach, or you were grabbing dinner with a friend. Then came the crash. Now you're hurt, your phone is lighting up with calls from insurance adjusters, and the medical bills are already piling up.

If you've been injured as a passenger in a [car accident](#) in Florida, you have rights. But Florida's insurance rules can feel like a puzzle, especially when you weren't driving. Here's what you need to know to protect your health, your rights, and your ability to get compensated.

What should I do right after the crash if I'm a passenger?

If you're able to move, check yourself and others for injuries. Then, call 911 to request emergency medical care, if necessary. Let the paramedics examine you, even if you feel okay in the moment. It's not uncommon for crash victims to feel fine initially, only to wake up the next day in serious pain. A documented medical evaluation on the scene is the foundation for any insurance claim you might file later.

If you're not being rushed to the hospital, take photos of the crash scene. That includes the cars, your injuries, any visible road hazards or traffic signs, and the surrounding area. Get contact and insurance info from all drivers involved, not just the one you were riding with. If there are witnesses, ask for their names and phone numbers, as their statements can strengthen your claim.

Also, be sure to note exactly where you were seated in the car. This detail can help later if there's any question about how your injuries happened or who's liable.

Who covers passenger medical bills in Florida?

Florida is one of a handful of states with a no-fault auto insurance system. This means your initial medical bills (regardless of who caused the crash) are covered through what's called Personal Injury Protection (PIP).

If you own a vehicle and have Florida insurance, your own PIP coverage is the first place to turn. If not, you might be covered under the PIP policy of a relative you live with, or through the policy of the driver whose car you were in.

PIP covers up to \$10,000 in benefits, but only 80% of your medical expenses and 60% of your lost income. Plus, there's a catch: if your injury isn't classified as an "emergency medical condition" by a doctor, you're capped at \$2,500. You also have to get medical care within 14 days of the car accident, or risk losing access to these benefits.

That's why it's important to see a doctor right away, even if you're not sure how badly you're hurt. It protects both your health and your potential compensation.

Can I file a claim against the driver of the car I was in?

If the driver of the car you were riding in caused the crash, you have the legal right to seek compensation through their insurance policy. This is called a third-party claim, and it typically involves their bodily injury liability coverage.

Now, it might feel awkward. The driver might be a friend, a coworker, or a family member. But you're not suing them personally. You're pursuing a claim against their insurance company. That's why drivers carry liability coverage in the first place.

If the injuries are serious or permanent, and your expenses exceed what PIP covers, this step becomes even more important. The law makes it clear that injured passengers shouldn't have to bear the cost of someone else's mistake.

Can I sue the other driver?

If the other driver was at fault, they can also be held accountable. Let's say you were riding in your friend's car and you got T-boned at an intersection. If the other driver ran a red light, was speeding, or made an illegal turn, they're likely liable. As a passenger, you can pursue a claim through their auto insurance policy.

However, proving fault is key when suing another driver's insurance company. The police report will be a central piece of evidence, but it's not the only one. Photos of the crash scene, statements from witnesses, and even traffic camera footage can all strengthen your case.

If the other driver's insurance limits aren't enough to cover your injuries, and your own PIP is exhausted, you may need to consider a claim or lawsuit against the other driver's insurance. It's not always necessary, but it's a powerful option if negotiations stall or if your damages are substantial.

What happens if both drivers are at fault?

Things can get complicated fast when multiple people share responsibility for the same crash. But Florida law accounts for that. Under the state's comparative fault system, insurance companies can split liability between two or more drivers based on their share of the blame. That means, for example, if one driver was 70% at fault and the other was 30%, you could recover compensation from both insurance policies in proportion to that breakdown.

The good news for you? As a passenger, you're rarely assigned fault yourself, so you're usually entitled to recover your full damages. But coordinating claims between multiple insurance

companies can be a headache. This is why having a lawyer on your side can make a big difference in your case.

Can you use your health insurance for passenger accident injuries?

If you're injured in a crash as a passenger, you can use your health insurance to cover some of your medical expenses. However, you can typically only use health insurance after using up your PIP benefits.

Most health insurance providers will require proof that you've exhausted any available auto insurance coverage first. Once that's done, your health plan can kick in to cover ongoing treatments, surgeries, specialist visits, and other expenses.

However, using health insurance to cover crash-related medical expenses comes with subrogation. This means that if your health insurance pays for your medical care and you later receive a settlement, your insurance provider might ask for reimbursement. This is perfectly legal, but it can reduce how much money you take home unless your lawyer negotiates a lower payback.

In the meantime, keep a paper trail of every bill, receipt, prescription, appointment log, and explanation of benefits. These details can be helpful when it's time to calculate how much compensation you're really owed.

Should I talk to the insurance companies?

You'll likely hear from one or more insurance adjusters within days of the crash. It might even happen while you're still in a hospital bed.

When speaking to insurance adjusters, be polite but careful. Don't offer opinions about who was at fault. Don't talk about your injuries in detail. And don't give a recorded statement unless you've spoken to a lawyer first.

Why? Because anything you say can be used to downplay your injuries and reduce your compensation. If you tell an adjuster you're "feeling fine," even if you're just being nice, that could come back to haunt you if your symptoms worsen later. Similarly, agreeing to a quick settlement might mean signing away your rights before you know the full extent of your injuries.

You can always tell an insurance company you're not ready to talk until you get legal advice. That's not being difficult, it's being smart.

What kinds of compensation can you recover?

If you're injured as a passenger in a Florida car accident, your potential compensation could include:

- **Medical expenses:** These include costs for hospital visits, doctor's appointments, rehab, physical therapy, surgery, prescriptions, and medical devices.
- **Lost income:** This covers wages you missed while recovering, plus future lost earnings if your injuries impact your ability to work.
- **Pain and suffering:** This includes physical pain, emotional trauma, and reduced quality of life you've experienced.
- **Long-term care needs:** This pays for ongoing treatment or personal care, particularly if your injuries are severe or disabling.
- **Property damage:** If your personal belongings (phone, laptop, clothing) were damaged in the crash, you can be reimbursed for the cost of repair or replacement.
- **Disfigurement or permanent injuries:** Additional compensation for visible scars, amputations, or lasting impairments.

Injured as a passenger in Palm Beach County? Get help from a trusted lawyer today!

If you were injured as a passenger in a car accident in Palm Beach County, the road to recovery can feel uncertain. That's why the lawyers at the [Law Offices of Casey D. Shomo](#) are committed to protecting the rights of injured passengers in Palm Beach Gardens and the surrounding area. With more than 30 years of experience, Mr. Shomo personally oversees each case with deep legal knowledge and compassionate support.

Our law firm offers free consultations, where we review the details of your car accident, explain your rights, and walk you through your legal options. You won't be rushed or treated like a case number. Instead, you'll receive focused, one-on-one attention from a lawyer who understands your situation.

If you decide to move forward, we'll handle every aspect of your claim so you can focus on healing. And since we work on a contingency fee basis, you won't pay us anything unless we win your case. We invite you to [contact us](#) and schedule your free consultation today.

"Casey Shomo and staff handled my case in a completely professional way. Working with them was a breeze and an amazing experience. Highly recommended." – Daniel M., ★ ★ ★ ★ ★