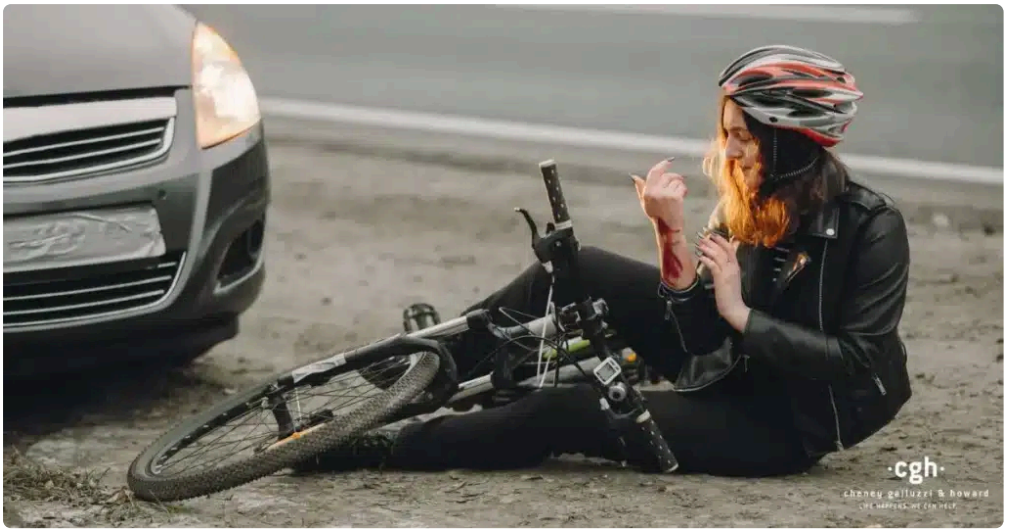

cgh
Injury Lawyers
IT'S MORE THAN MONEY.
Who is at fault if you hit a cyclist in Denver?
2701 Lawrence St. Suite 201 Denver, CO 80205
cghlawfirm.com
(303) 209-9395


cgh
cheney gelluzzi & howard



A fatal bicycle crash changes a family's life in a single afternoon. One phone call from police, one visit to a hospital, one knock at the door, and everything after that gets divided into before and after. In that setting, the work of a Bicycle Accident Lawyer is not just about filing paperwork or arguing over insurance numbers. It is about building a case sturdy enough to answer hard questions, protect the family from procedural mistakes, and pursue accountability when the person who was killed can no longer speak for themselves.

Wrongful death cases involving bicycles carry a particular kind of complexity. Cyclists are exposed. They have no steel frame around them, no airbags, no seat belts. A driver who would have walked away from a low speed collision with another car can leave a cyclist with catastrophic trauma. Those cases often involve disputed visibility, biased assumptions about road use, and severe damages that far exceed the insurance limits many families assume will be available. A good lawyer handling one of these claims must move quickly, think technically, and deal with grieving people with steadiness and respect.

Why these cases are different from a standard injury claim

A nonfatal bicycle injury case already demands careful work. A wrongful death case raises the stakes. The timeline gets tighter in practical terms because evidence disappears fast. Skid marks fade. Nearby businesses record over security footage within days. Vehicles get repaired or salvaged. Witnesses become harder to locate. Digital evidence from a driver's phone or vehicle system may be lost unless someone acts quickly.

The legal structure is also different. In many states, a wrongful death claim belongs to certain surviving family members or to the estate representative acting on behalf of beneficiaries. There may also be a separate survival action, depending on state law, which seeks damages the deceased person could have recovered had they lived, such as pre-death pain and suffering or medical expenses. That split matters. It affects who has standing, what damages are available, and how any settlement must be allocated.

A Bicycle Accident Lawyer handling a fatal case has to understand not only traffic collision evidence, but also probate issues, family relationships, lien resolution, and the practical reality that grief often makes decision-making harder. In a serious but survivable injury claim, the client can describe the crash, explain symptoms, and evaluate settlement options directly. In a wrongful death case, the lawyer reconstructs the story through others, while helping survivors carry responsibilities they never expected to have.

The first days after a fatal bicycle crash

The early phase of a wrongful death case is often decisive. Families are usually overwhelmed, and insurance companies know it. Adjusters may call before a funeral has taken place. They may ask for recorded statements, broad authorizations, or casual explanations of what happened. Those conversations can create problems long before a lawsuit is filed.

One of the first jobs of counsel is to create structure. That means identifying who has legal authority to act, preserving evidence, and setting boundaries with insurers and investigators. It also means explaining what does not need to happen immediately. Families often fear they must make every legal decision in the first week. Usually they do not. But some things cannot wait.

A lawyer typically starts with a factual lockdown. The police report is requested, but not treated as the final word. If there was a commercial vehicle involved, the lawyer may send preservation notices to prevent destruction of driver logs, onboard data, dash camera footage, maintenance records, and internal incident reports. If the crash involved a private driver, counsel may still send spoliation letters demanding preservation of the vehicle, event data, phone records, and insurance information.

At the same time, an experienced attorney will begin building a timeline. When did the cyclist leave home? What route were they taking? What was the weather, the lighting, the traffic pattern, the roadway design, and the exact point of impact? Those details sound clinical, but in practice they can decide liability.

The central question: how did the crash actually happen?

In fatal bicycle collisions, the initial public narrative is often wrong or incomplete. A driver says, “He came out of nowhere.” A witness says, “It was dark.” An officer notes that the cyclist was not in a bike lane. Those fragments may shape assumptions before anyone has measured sight distance, downloaded vehicle data, inspected road geometry, or analyzed whether the driver was speeding, distracted, impaired, or turning illegally.

A Bicycle Accident Lawyer does not simply collect documents. They test the story.

That may require an accident reconstruction expert, particularly in intersections, overtaking collisions, right hook crashes, left cross crashes, driveway conflicts, and dooring cases. Reconstruction can involve crush damage, throw distance, bicycle deformation, vehicle paint transfer, surveillance footage timing, and line of sight analysis. Sometimes the key issue is not impact speed but perception response time. Could the driver have seen the cyclist five seconds earlier? Was the cyclist lawfully occupying the lane because it was too narrow to share safely? Was the vehicle’s path inconsistent with the driver’s statement?

In one kind of case that appears often, the driver insists the cyclist was outside the headlight beam or wearing dark clothing. That argument can sound persuasive until someone maps the streetlights, the vehicle’s approach angle, the reflective surfaces on the bicycle, and the driver’s own speed. If the driver was traveling even modestly above the limit, the available stopping distance changes. If the driver was looking at a phone for two seconds, a hundred feet or more may have been covered without full attention. Small facts accumulate into a different picture.

This work matters because wrongful death claims are rarely won by moral outrage alone. They are won by evidence that shows fault clearly enough to survive denial, negotiation pressure, and courtroom scrutiny.

Preserving the bicycle, the vehicle, and the scene

Physical evidence in bicycle death cases can be unusually revealing. The bicycle itself can show where impact occurred, whether lights were mounted, whether reflectors were present, and how force traveled through the frame. A helmet may show the mechanics of the head strike. Clothing can establish visibility features. Tire marks, gouges, debris fields, and damage to the vehicle can help pinpoint lane position and sequence of events.

Families sometimes do not realize how important these items are. A bike may be released from police storage and left in a garage. A driver’s insurer may repair the vehicle quickly. A municipality may repave part of the road or alter striping. A lawyer who knows these cases will often move to inspect and document everything before those changes occur.

When a commercial truck, delivery van, or rideshare vehicle is involved, the evidence web gets wider. Employment status, route pressure, dispatch communications, maintenance intervals, prior safety complaints, and company phone use policies can all become relevant. A local driver’s negligence case can turn into a broader claim involving negligent hiring, retention, supervision, or corporate safety failures. That is one reason bicycle wrongful death cases should not be treated like routine fender-bender files.

When road design or a defective condition played a role

Not every fatal bicycle crash is solely about the driver. Sometimes the road itself contributes to the death. Faded lane markings, a missing sign, poor sight lines at a crossing, dangerous drainage grates, potholes, obscured signals, or a known conflict point between cars and cyclists can all matter. In other cases, a defective bike component or vehicle part becomes part of the analysis.

Claims involving a city, county, or state agency often come with shorter notice requirements and procedural traps. Miss a statutory notice deadline and a valid claim may be lost before it starts. That is one of the reasons early legal review matters so much. Families are often told, casually, that "the government is impossible to sue." That is not always true. But these cases do require a lawyer who understands sovereign immunity rules, notice statutes, and the engineering evidence needed to show a dangerous condition.

The same goes for product issues. If a bicycle light failed, a helmet defect aggravated injuries, or a vehicle's visibility system malfunctioned, product preservation and expert analysis become critical. Those are not allegations to make lightly. They require technical proof. But ignoring them can leave money and accountability off the table.

Working through the human side of damages

The legal term "damages" can sound cold in a case involving a death. Families often recoil from it at first, and understandably so. No financial recovery replaces a parent, spouse, child, or sibling. Yet the civil system has only one tool for accountability in these cases, and that tool is money. The lawyer's task is to present the loss fully and honestly, without turning a life into a spreadsheet.

Wrongful death damages may include both economic and non-economic loss, subject to state law. The economic side can be substantial even when a deceased cyclist was not a high earner. Lost future income, benefits, household services, childcare, elder care, health insurance contributions, and retirement value may all **Bicycle Accident Lawyer** be relevant. I have seen families underestimate these losses badly because they focus only on salary. But the parent who handled school pickups, home maintenance, budgeting, and weekend care was providing measurable value every week.

The non-economic side is harder to discuss, but no less real. Loss of companionship, guidance, care, society, and consortium often form the emotional center of the claim. Jurors understand those losses when they are presented with restraint and specificity. Generic statements do not carry much weight. Concrete examples do.

Instead of saying a father was "loving," a persuasive case may show that he bicycled with his daughter every Saturday at 7 a.m., fixed her chain when it slipped, and had already mapped the route they planned to ride together that summer. Instead of saying a spouse was "supportive," the evidence may show who managed medication schedules, who attended every oncology appointment with an elderly parent, or who held together a family business through long weeks.

A good Bicycle Accident Lawyer spends time learning those details. Not to dramatize them, but to make the loss visible in a system that otherwise reduces people to dates and billings.

The role of insurance, and why policy limits are only the beginning of the analysis

Families often assume there is one insurance policy and one dollar figure. Fatal bicycle cases are rarely that simple. There may be bodily injury coverage from the driver, umbrella coverage, employer coverage, commercial policies, rideshare layers, uninsured ***Bicycle Accident Lawyer*** or underinsured motorist coverage, medical payments coverage, or premises-related coverage if a roadway entrance or property condition contributed.

An attorney's insurance analysis should be aggressive and methodical. It is not enough to accept a declarations page at face value. The lawyer may need to verify vehicle ownership, household policies, excess layers, permissive use, employment relationships, and whether additional insured provisions apply. In commercial cases, there may be disputes over whether the driver was in the course and scope of work at the time. In household cases, there may be a question about whether an umbrella policy extends to the driver involved.

Here is where experience matters. A lawyer who treats a fatal bicycle claim like a routine auto file may obtain the obvious policy and stop there. A lawyer who understands exposure analysis will keep asking who owned what, who employed whom, and what other coverage was in force on the day of the crash.

The practical steps families should expect early on

Most families feel better once they know the process has a shape. While every case differs, the early legal work usually includes a few common actions:

1. Identifying the proper person or estate representative with authority to act.
2. Sending preservation letters to drivers, insurers, employers, and any entity controlling video or vehicle data.
3. Collecting the police file, medical records, autopsy findings if applicable, and scene evidence.
4. Evaluating all available insurance and any third-party liability beyond the driver.
5. Coordinating with probate counsel if estate administration is required.

That sequence is not about rushing into court for the sake of appearing aggressive. It is about preventing avoidable losses of evidence and legal rights.

Dealing with comparative fault arguments

Cyclists are blamed quickly, often unfairly. Defense lawyers know that many jurors drive more often than they bike, and some carry assumptions about cyclists being unpredictable, hard to see, or noncompliant with traffic rules. Those assumptions shape settlement value from the beginning.

Common defense themes include claims that the cyclist was outside the bike lane, wearing dark clothing, lacked lights, rolled through a stop, crossed unexpectedly, or should have ridden farther right. Some of these facts may matter. Some do not. The job is not to deny reality, but to place each fact in legal and physical context.

A cyclist can be partially at fault in some cases and the family may still recover substantial damages, depending on state comparative negligence rules. The lawyer's task is to separate meaningful conduct from post hoc criticism. For example, not every road has a usable bike lane. Debris, parked cars, drainage problems, or lane width may make it safer and more lawful for a cyclist to take the lane. Likewise, a missing rear light may be relevant in one crash and largely irrelevant in another if the driver turned across the cyclist's path in daylight.

These arguments are won with details, not slogans. Measurements, photographs, local traffic law, human factors analysis, and witness testimony often matter more than broad appeals to sympathy.

Handling the overlap with criminal proceedings

Some fatal bicycle crashes lead to criminal charges, especially where alcohol, drugs, reckless driving, hit and run conduct, or extreme speeding is involved. Families often assume a criminal case will resolve the civil one. It usually does not. The two systems have different standards, different goals, and different timelines.

A criminal conviction can strengthen a civil claim, but a civil case cannot simply wait passively for prosecutors to finish. Evidence still needs to be preserved. Witnesses still need to be contacted. Insurance issues still need to be investigated. At the same time, a careful civil lawyer will coordinate around the criminal matter, mindful that statements, discovery, or timing can affect parallel proceedings.

This is another place where judgment matters more than theatrics. Sometimes it is smart to file suit quickly. Sometimes it is wiser to wait for a key criminal hearing, a toxicology result, or the completion of a police reconstruction. There is no single template that fits every file.

Settlement versus trial in wrongful death bicycle cases

Most civil claims settle, but wrongful death bicycle cases should be prepared as if they will be tried. The reason is simple. Serious cases invite serious disputes. Insurers may contest fault, damages, or both. If the deceased had preexisting medical issues, defendants may argue reduced life expectancy. If the person was retired, they may downplay economic loss. If there are family complications, they may exploit them.

A strong settlement usually comes from credible trial readiness. That means the lawyer has done the expert work, documented the family's loss carefully, analyzed comparative fault honestly, and understands how the case will read to a jury.

There are also strategic choices about timing. Early settlement can spare a family the strain of litigation, but early resolution is only sensible if liability and damages have been developed enough to value the case properly. Settle too soon and you may never uncover additional insurance, a stronger liability theory, or evidence of more serious misconduct.

When trial becomes necessary, the presentation in a bicycle death case must be disciplined. Jurors respond to clear roadway evidence, grounded testimony, and authentic proof of loss. They do not respond well to exaggeration. In my experience, the most persuasive wrongful death cases are the ones that trust facts to carry the weight.

What families can do to help the case without making the grief process harder

Families often ask what they should gather. The answer is not everything, immediately. A lawyer should guide the process so it does not become another burden. Still, there are certain materials that are often helpful if they can be located without creating additional distress.

1. Photographs of the cyclist, the bicycle, gear, and the route if the family has them.
2. Contact information for friends, riding partners, coworkers, or anyone who may know routine habits and life impact.
3. Employment and benefits records, including retirement and health coverage information.
4. Household records that show services the person provided, such as childcare, caregiving, or home maintenance.
5. Any communication from insurers, investigators, or defense representatives.

The best lawyers also tell families what not to do. Do not post detailed crash theories online. Do not hand over the bicycle for disposal. Do not guess about fault in a recorded statement. And do not assume that because a police report sounds unfavorable, the civil case is hopeless.

Choosing the right lawyer for this kind of case

Not every personal injury lawyer is equipped to handle a fatal bicycle claim well. The issue is not branding. It is case fit. These matters call for someone comfortable with catastrophic damages, reconstruction evidence, insurance layering, and if necessary, litigation against commercial defendants or public entities.

Families should look for signs of practical competence. Does the lawyer ask detailed questions about the scene and evidence, or only broad ones about medical bills? Do they understand cyclist road positioning and common crash patterns? Do they explain who can bring the claim and how the estate process interacts with the case? Are they candid about comparative fault risk, or do they promise an easy result? Serious counsel does not sell certainty where none exists.

A Bicycle Accident Lawyer handling wrongful death work should also know how to communicate with grieving people. That sounds obvious, but it is not universal. Families need clarity, patience, and honesty. They need a lawyer who can move a case forward without making every conversation feel transactional.

What a well-handled case ultimately achieves

No civil case fixes the central fact. The person who died does not come back. But a carefully handled wrongful death claim can do meaningful things. It can establish what really happened when the first version was self-serving or incomplete. It can shift financial pressure away from survivors who have lost income, care, or stability. It can expose dangerous conduct by drivers, companies, or public agencies. Sometimes it can force policy changes or at least make future misconduct harder to excuse.

At its best, the legal process creates a record that respects the person who was killed. Not a sentimental record, and not a sanitized one, but a truthful one. It says this life had value, this death had causes, and those causes were not simply “an accident” in the shrugging sense the word is often used.

That is the real work. A Bicycle Accident Lawyer in a wrongful death case must investigate like a technician, negotiate like a strategist, and communicate like a steady professional in the middle of grief. Families dealing with a fatal bicycle crash deserve nothing less.

CGH Injury Lawyers
2701 Lawrence St Suite 201
Denver, CO 80205, United States
Phone: +1 720-669-8062

FAQ About Bicycle Accident Lawyer

Who is at fault if a car hits a bicycle?

Fault depends on the evidence and the traffic rules that applied to the collision. A driver, cyclist, or another party may share responsibility. Police reports, witness accounts, video, and the physical evidence can help establish what happened. A collision with a car does not automatically determine legal fault.

Can you sue someone for hitting you on a bike?

You may have a claim when another person's negligent conduct causes your injuries and losses. The available evidence, applicable deadlines, insurance coverage, and any shared fault affect your options. A lawyer can review the circumstances and explain whether an insurance claim or lawsuit is appropriate; compensation is not guaranteed.

What percentage does an injury lawyer usually take?

There is no single percentage that applies to every injury case. Many lawyers use a contingency fee based on a share of the recovery, with the terms stated in a written agreement. Ask how the percentage is calculated, whether it changes during litigation, and how case expenses are handled before signing.