

## **Can I Still File An Injury Claim If I Wasn't Wearing A Seatbelt?**

Seatbelts help protect drivers and passengers in their vehicles in the event of a car accident. Your chance of sustaining an injury if you were not wearing the seatbelt is substantially higher than if you had been wearing a seatbelt.

However, if you were in an accident and were not wearing a seatbelt, you can still file an injury claim. This may lessen the amount that you receive, but enlisting the help of a personal injury lawyer may help you maximize your compensation.

## **Florida Seat Belt Laws**

In the state of Florida, all drivers and front-seat passengers must wear a seatbelt at all times. Although back seat passengers over the age of 18 do not have to wear a seatbelt, it is highly recommended as they mitigate the chance of injury in the event of an accident.

Florida is a no-fault state, which means that victims of car accidents need to seek compensation from their Personal Injury Protection (PIP) coverage. However, if medical treatment expenses surpass the limits of your PIP policy, you may be able to pursue a claim through the at-fault driver's insurance.

Your failure to wear a seatbelt may possibly affect your claim, regardless of whether the accident was due to another driver's negligence.

## **How Does Liability Affect My Claim?**

If you failed to wear a seatbelt and got into a car accident but it was the fault of the other driver, you may still be able to pursue a claim. Your PIP coverage should eliminate a portion of the costs, but in the event that it does not, you may be able to file a claim.

Because you were not wearing a seatbelt, you will have to shoulder a portion of the blame for your injuries, which could impact the settlement amount, resulting in a reduced amount.

In cases such as these, it is wise to seek the assistance of a personal injury attorney. They are well versed in Florida laws surrounding car accidents and can help you navigate your claim to ensure you receive the maximum compensation, even if you were not wearing a seatbelt.

## **Speak with a Personal Injury Attorney Today for Help with Your Claim**

If you or a loved one were injured in an accident due to the other driver's negligence but you were not wearing a seatbelt, you may be offered a much lower settlement. Personal injury

attorneys are very familiar with insurance companies attempting to deny or reduce your claim and have the legal knowledge to help you navigate your case's legal aspect.

At [Wooten, Kimbrough, Damaso & Dennis, PA](#), we have been fighting for the past 50 years for our clients. As a result, we have recovered millions of dollars for countless victims of personal injury cases and are prepared to help you. To get started today with a free consultation, visit our website and fill out the [contact form](#), or give us a call at (407) 843-7060.

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