



— ARKANSAS MOTORCYCLE ACCIDENT ATTORNEYS

# Fatal Motorcycle Accidents in Arkansas

---

KNOW YOUR RIGHTS



LAW OFFICE OF  
**JASON M. HATFIELD P.A.**  
EXPERIENCED. DEDICATED. COMPASSIONATE.

# Table of Contents



## — WHAT'S INSIDE

Introduction .....	3
Motorcycle Accidents in Arkansas .....	4
Motorcycle Deaths Nationwide .....	5
Motorcycle Accident Statistics .....	7
Causes of Motorcycle Accidents .....	9
Compensation .....	11
Talk to a Motorcycle Accident Attorney .....	13





— INTRODUCTION

# Mississippi, Texas, and Arkansas have the highest rates of motorcycle fatalities

---

The number of yearly motorcyclist fatalities has grown exponentially over the last few years, raising concerns about motorcycle safety in Arkansas and nationwide. In fact, the decade starting with 2020 has been marked by record numbers of motorcycle rider fatalities.

People who own motorcycles love to take them out on the open road, and they should feel safe doing so. Unfortunately, a lot of other drivers don't like motorcycles. Regardless of how other drivers feel, no rider deserves to get into an accident.



**Arkansas saw 85  
motorcyclist deaths in  
2021, which is a 51 percent  
increase over 2019.**

## — PART ONE

**Arkansas has a fatality rate for  
motorcycle riders that is above  
the national average.**

With the absence of protective gear and other safety features, such as seat belts and airbags, a motorcyclist's chances of being involved in a severe accident significantly increase. A serious accident can force a biker to a hospital or result in their death.

# Motorcycle accidents often cause significant injuries to riders

In 2020, the nationwide fatality rate for motorcyclists was 6.7 deaths for every 10,000 motorcycles. The rate in Arkansas was 11 deaths per 10,000.

In fact, the number of fatal accidents and deaths recorded in 2020 were the highest in more than 10 years in Arkansas. And 2021's totals climbed even higher.





**64 PERCENT**

Arkansas' motorcyclist death rate is 64% higher than the national average.

In 2021 motorcyclists accounted for 14% of all traffic fatalities and 17% of all occupant fatalities.

## Motorcycle accidents and fatalities nationwide

The number of fatal motorcycle accidents has increased year over year nationally and in Arkansas. Motorcycles constitute three percent of all registered vehicles in the U.S. and make up only 0.6 percent of all vehicle miles traveled. However, in 2021 motorcyclists accounted for 14 percent of all traffic fatalities and 17 percent of all occupant fatalities.

Death rates are increasing as well. Over the last ten years, fatalities have increased by 19 percent and death rates have increased by 29 percent. Arkansas motorcycle rider fatalities increased from 56 in 2019 to 85 in 2021.

**8.6 Million**

REGISTERED MOTORCYCLES IN THE U.S.

**5,932**

MOTORCYCLIST DEATHS PER YEAR IN THE U.S.

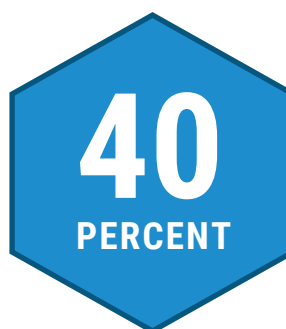
## — PART TWO

# Wearing a helmet can save lives

Wearing a helmet while riding reduces the risk of death in a motorcycle accident by 40 percent and can prevent head injuries in up to 70 percent of cases. Approximately half of those killed in a motorcycle accident are not wearing a helmet. Arkansas law only requires riders to wear a helmet if they are under the age of 21.

According to the Arkansas Crash Analytics Tool, from 2018 to 2022, there were 5,701 motorcycle-related fatalities in Arkansas, which averages over 1,400 deaths each year during that time period.

## WEARING A HELMET REDUCES DEATH IN A MOTORCYCLE ACCIDENT BY 40 PERCENT



Fewer fatalities when wearing a helmet



Fewer head injuries when wearing a helmet





# Motorcycle Accident Statistics

Data from the National Highway Traffic Safety Administration and the National Safety Council illustrate trends in motorcycle usage, accidents and fatalities. Noteworthy numbers include:



**34**  
PERCENT

## Speeding

Speed is deadly to motorcycle riders. When reckless drivers cause an accident with a less protected rider, the results can be catastrophic. Over one-third, or 34 percent of all motorcycle-related deaths involve speeding.



**50**  
PERCENT

## Time of Day

Unlike fatal car accidents, a slight majority of fatal motorcycle accidents take place at night. Approximately 50.5 percent of fatal motorcycle accidents happen after dark.



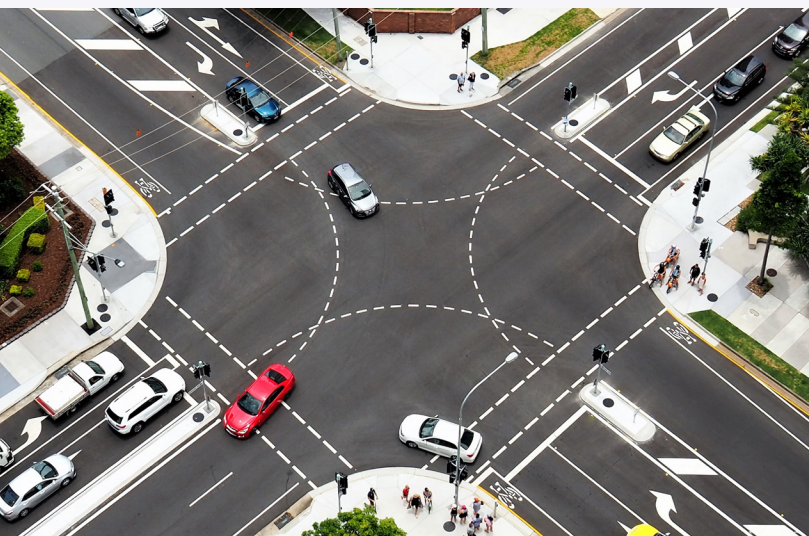




**38**  
PERCENT

## Helmet Use

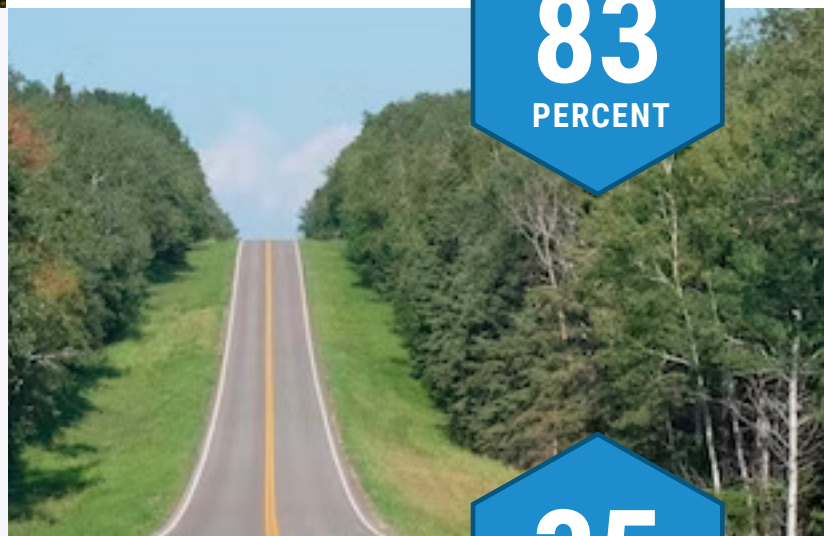
Nationwide, over 5,500 motorcyclists are killed per year. Of those, over 2,100, or 38 percent, were not wearing a helmet. Because helmet use can reduce the risk of death and serious injury, states without strict helmet laws tend to see more fatalities.



## Weather

Nationwide, most fatal motorcycle accidents happen in clear, good weather conditions. Approximately 83 percent of fatal accidents happen when weather is clear. Other factors, like speeding and the inattentiveness of large vehicles, play a larger role.

**83**  
PERCENT



**35**  
PERCENT

## Location

Fatal motorcycle accidents commonly occur in urban areas and at intersections. Almost two-thirds, or 61 percent of fatalities happen in urban areas and 35 percent occur at intersections.

**The number of registered motorcycles in the U.S. has increased 38 percent over the last 15 years.**



— PART FOUR

# Common causes of motorcycle accidents

Driver error is the most common cause of any motor vehicle accident, including motorcycle accidents. Motorcyclists are particularly susceptible to driver error on the part of larger vehicles.

A big contributing factor to motorcycle accidents is the small size of the bike, which makes them difficult for other motorists to see, especially those who are distracted.

The type of motorcycle being driven can also affect the likelihood of a an accident, with bikes built exclusively for speed being more dangerous.

---

# Motorcycle accident fatalities have increased 20 percent over the last decade in the U.S.

The main reason given by drivers who crash into motorcycles is that they “didn’t see them.” However, this only tells part of the story. Some of the most common causes for fatal accidents are:

## Intoxicated Driving

Any amount of alcohol or drugs can affect a driver’s reaction time and coordination.

## Speeding

Speeders are particularly dangerous to motorcyclists, who are more exposed to other vehicles.

## Distracted Driving

One of the most common causes for all motor vehicle accidents is distracted driving.

## Traffic Violations

When people break the law and the rules of the road, and turn in front of or cut off motorcycles, people get hurt or killed.



4X

The motorcycle with the highest crash rate is the SuperSports, with a rate four times higher than any other type of motorcycle.



— PART FIVE

# Getting compensation for your loss after a fatal motorcycle accident

Arkansas law allows individuals other than the deceased to file a wrongful death lawsuit to recover both for costs associated with the accident and costs to surviving family members.

In Arkansas, the personal representative of the deceased person's estate must file a wrongful death lawsuit. In the absence of a personal representative, the "heirs at law" may file a claim.

---



## Who may qualify as an heir at law?

### In Arkansas, the following people may file a wrongful death lawsuit:

01

A surviving spouse, child, parent, or sibling

02

Someone standing “in loco parentis” of the victim.  
This is a person who acts in the place of a parent, like a legal guardian.

03

Anyone the deceased stood in loco parentis to at any time during their life, for example a child for whom the deceased acted as a legal guardian.





## — COMPENSATION

**Under Arkansas law, the representative may pursue two types of damages: those awarded to the decedent's family and those awarded to the decedent's estate.**

Damages given to survivors of the deceased person are intended to compensate them for losses the family suffered because of the death. These include:

- Loss of financial support
- Emotional suffering, grief, and despair
- Loss of care, services, and companionship for a spouse
- Loss of education, training, or guidance for surviving children

Arkansas does not cap the damages available to surviving family members in a wrongful death claim.

**Arkansas has a modified comparative fault rule for wrongful death cases**



## Damages awarded to the estate:

Damages awarded to the deceased person's estate aim to address losses the decedent suffered. These include:

- Medical bills prior to death
- Funeral or burial costs
- Pain and suffering the victim suffered leading to their death
- Lost value of the person's remaining life, including lost wages

Damages are paid directly to surviving family members, regardless of the type of claim.

## COMPARATIVE FAULT

Even if someone is partially to blame for an accident, damages may be awarded.

### An example of modified comparative fault:

A jury awards a family \$500,000 in damages.

The deceased is determined to be 25 percent at fault for the accident.

The award is reduced by 25 percent, or \$125,000, and will total \$375,000.



— PART SIX

# Talk to a motorcycle accident attorney

After a the loss of a loved one, the effects of the loss can pile up quickly. The physical, emotional and financial stresses are hard to recover from. Working with an experienced motorcycle accident attorney helps ensure that your rights are protected.





## TALK TO AN ATTORNEY

An attorney will investigate the accident and collect evidence that may help you with your claim.

If someone you know was involved in a fatal motorcycle crash, contact the Law Office of Jason M. Hatfield. Our dedicated team of fatal motorcycle accident lawyers is here to help.

Call us today for a free initial consultation and to find out what you can expect should you file a lawsuit. We know you have questions, and we can answer them for you. The Law Office of Jason M. Hatfield is just one quick call away: 479-361-3575.

We work on a contingency fee basis. If we do not recover compensation for you, you will not pay us anything.





Jason Hatfield has a passion fighting for justice and fairness for Arkansans who have been injured at no fault of their own. He is not afraid litigating injury cases that need to be litigated and shaping the law on tough issues.

Jason holds the designation of Super Lawyer based on his professional achievements and recognition by his peers. He is also recognized and awarded for being one of the Best Lawyers in America. In addition, Jason has the highest possible rating of AV – preeminent with the prestigious Martindale Hubbell legal group.



**(479) 361-3575**  
**[www.jhatfieldlaw.com](http://www.jhatfieldlaw.com)**