

## **Helping Injured Bikers Under Florida's Good Samaritan Law**

**By Howie Johnson**

I am not a lawyer, and I don't even play one on TV, but we bikers need to know that Florida's Good Samaritan law, which encourages providing help in emergencies, protects us when we help an injured person.

Imagine – or think back to when - you are on a club bike ride in the middle of nowhere, a fellow rider falls and is injured. Can you help without worrying about liability? The answer is yes - if your help fits under our state's Good Samaritan law.

Florida's law is pretty straight forward and protects a helper from liability for damages if: 1) the care is provided at the scene of emergency, 2) the injured person doesn't object, 3) the care is provided without cost and in good faith, and 4) the helper acts reasonably.

Let's look at these requirements a little more closely

### **At the scene of the emergency**

The law protects care given by medical professionals and regular citizens, like you and me, at the scene of an emergency, but not in a hospital or other place where medical equipment is available.

### **The victim doesn't object**

You can't help someone who doesn't want it and avoid liability, so ask the injured person if they are OK with you helping them.

### **The care is provided without cost and in good faith**

You can't charge for the help you give and you must honestly try to help the injured person.

### **The helper acts reasonably**

Once you make a move to help, you owe the victim the duty to act as an ordinary reasonably prudent person would have acted under the same circumstances. You don't have to act like you are a doctor or have super healing powers, you just have to do what an ordinary person would do in your situation to help.

Cycling always involves risks – danger from other cyclists, other “vehicles,” road hazards – the list goes on from there. If you are on a ride and a rider is injured, call for help. Make sure the victim doesn’t object to your assistance, then render the injured person the aid you feel comfortable giving, as well as you can give it. And of course, don’t charge him for it.