

What to Know About Rental Car Accidents in NYC

Injured While Driving a Rental Car in New York? Here's What You Should Do

Driving a rental car in New York City is not for the faint of heart. Between the aggressive drivers, confusing one-way streets, honking horns, and ever-present delivery trucks, finding your way through the city in any vehicle is a challenge, especially if you're not familiar with it. But what happens if you're in a [car accident](#) while driving a rental car in NYC?

Rental car crashes bring unique complications. In addition to the usual stress of a collision, there are insurance policies to juggle, rental agreements to consider, and often, out-of-state laws that clash with New York's own no-fault system. Whether you're a local using a temporary ride or a visitor exploring everything the City has to offer, understanding your rights and responsibilities can make a huge difference in the outcome of your case.

What causes most rental car accidents in NYC?

There's no shortage of chaos on NYC streets, and rental cars are often caught in the crossfire. Some of the most common causes include:

- **Unfamiliarity with city roads:** Many drivers aren't used to NYC's traffic patterns, including no right turns on red and sudden lane merges.
- **Distracted driving:** GPS navigation, rental car controls, and phone apps often take drivers' attention away from the road.
- **Aggressive driving:** Locals can be impatient, and some drivers may feel pressure to keep up with the pace.
- **Last-minute decisions:** Trying to find parking or a rental return lot can lead to sudden turns or lane changes.
- **Rental car maintenance issues:** Although rare, some rental companies may not properly inspect or maintain their vehicles, which can lead to mechanical failures.

Who can be held liable in a rental car crash?

In any New York car accident, liability depends on who was at fault. With a rental car involved, there are more possibilities. Here's who can typically be held accountable:

- **The rental driver,** for running a red light, texting while driving, or otherwise acting negligently.
- **Another driver,** if someone else hit you; their insurance provider may be responsible for the damage and injuries.
- **The rental car company,** for renting out a faulty vehicle or failing to verify a driver's license.

- **Other parties** such as municipalities (for poor road conditions or unclear signage), or rideshare companies may also share fault in certain scenarios.

How does insurance coverage work in a rental car accident?

This is where things can get complicated and why it's so important to consult a lawyer if you've been injured in a crash involving a rental car. Rental car accidents often involve several potential insurance policies, including:

Personal auto insurance

If you have your own car insurance, it might extend to rental cars, at least for liability and collision coverage. However, not all policies include this, and coverage limits can vary. You may also need to pay a deductible before your policy coverage takes effect.

Rental company coverage

Rental car companies usually offer optional insurance add-ons, such as:

- **Collision Damage Waiver:** This covers damage to the rental car itself. It isn't technically insurance, but it waives your responsibility for repairs.
- **Supplemental Liability Insurance:** This provides additional liability protection beyond your own policy.
- **Personal Accident Insurance:** This pays for your medical expenses if you're injured.

Credit card benefits

Many credit cards offer secondary rental car coverage if you used the card to pay for the rental. This typically covers only damage to the rental vehicle, not liability or injuries. It usually doesn't apply if you accepted the rental company's coverage.

What about gaps?

Sometimes, none of these coverages apply, or multiple policies dispute who pays first. This can happen with out-of-state drivers or when injuries exceed policy limits. Again, this is why it's always in your best interest to seek immediate legal help and sort everything out.

What should I do right after a rental car accident?

The steps you take immediately after the crash are important for the course of your claim, especially in NYC, where insurance companies and rental companies often scrutinize every move. Here's what to do:

- **Call 911:** Even if it seems minor, get a police report. It can be helpful later if disputes arise with your claim.

- **Document everything:** Take photos of the crash scene, vehicle damage, road conditions, and any visible injuries. Also, get names and contact information from witnesses.
- **Notify the rental company:** Most agreements require prompt reporting of a rental car accident. It's important to act fast, as any delays could hurt your claim.
- **Seek medical attention:** Injury symptoms can take hours or days to appear after a crash. It's important to see a doctor right away to address hidden injuries and create a link between your condition and the crash you were in.
- **Contact your insurance company:** Let your insurance company know about the rental car accident, but stick just to the basic facts and don't talk about who was at fault.
- **Get legal help:** Don't try to handle your claim alone or offer a recorded statement to insurance companies without a lawyer. Anything you say, especially to the other driver's insurance company, can be used against you.
- **Follow medical and legal advice:** Attend all medical appointments and avoid activities that can worsen or disprove your injuries. Additionally, refrain from posting about your rental car accident on social media, as insurance companies will be monitoring your activity.

How does New York's no-fault law apply to rental cars?

New York is a no-fault state, which means your medical expenses and lost wages are typically covered by your own insurance, regardless of who caused the crash. This applies to most rental cars insured and registered in New York.

If you're injured, you can file a Personal Injury Protection (PIP) claim and receive up to \$50,000 in basic benefits. However, you can't sue the other driver for pain and suffering unless your injuries meet New York's definition of "serious."

If the rental car involved in the crash is from out of state, the situation may be more complicated. Some PIP benefits might still apply, but it depends on the rental company's policy and the vehicle's registration.

What happens if the other driver is from another state?

Accidents involving out-of-state drivers are common in NYC, especially in rental car collisions. If the at-fault driver is from another state, complications may include:

- **Different insurance rules:** Their policy might have lower limits or no PIP coverage.
- **Jurisdiction issues:** If they contest the claim, it could involve legal proceedings in another state.
- **Uninsured or underinsured drivers:** If their coverage isn't enough, you may need to rely on your own UM/UIM policy or explore other compensation options.

What if you're a passenger in a rental car crash?

If you were riding in a rental car during a crash, you may be entitled to compensation regardless of which driver was at fault. As a passenger, your medical bills and lost wages are typically covered by the rental car's no-fault insurance or another available PIP policy. If your injuries meet New York's serious injury threshold, you may also be able to pursue a third-party lawsuit against the at-fault driver—or, in some cases, both drivers.

Keep in mind: insurance companies may try to point fingers between policies, especially if the crash involved an out-of-state driver or multiple vehicles. That's why it's important to speak with a lawyer who can sort out the coverage issues and protect your rights as a passenger.

Can you sue the rental car company?

In most cases, you can't sue a rental car company for a crash. [The Graves Amendment](#) is a federal law that shields rental car companies from liability simply because they own the vehicle. However, exceptions do exist. You may be able to file a lawsuit if the rental company:

- Rented a defective or unsafe vehicle
- Failed to inspect or maintain the car
- Rented to someone without a valid driver's license

In those cases, rental records, maintenance logs, and surveillance footage could become key evidence. An attorney can conduct a thorough investigation into the cause of your crash and help determine who is responsible.

What are your legal options if you're injured in a rental car accident?

If your injuries are considered serious, you may be able to file a lawsuit outside of New York's no-fault system. This could allow you to recover compensation for:

- Medical bills
- Lost income
- Future medical care
- Pain and suffering
- Emotional distress

Under New York law, a "serious injury" may include broken bones, significant disfigurement, permanent loss of use of a body part, or being unable to perform daily activities for at least 90 out of the first 180 days after the crash.

In most cases, you have three years from the date of the crash to file a lawsuit. If a government vehicle was involved, that window may shrink to as little as 90 days to file a notice of claim.

Get the justice and compensation you deserve after a Bronx rental car accident

If you were injured in a rental car accident in the Bronx or anywhere in New York City, you need a strong legal advocate on your side who can help you sort out the claims process. [Giampa Law](#) is ready to fight for your rights and help you pursue compensation for your medical bills, lost wages, pain and suffering, and other damages. We can manage every part of your case (e.g., investigating, negotiations, and paperwork) so you can focus on your recovery.

We understand how insurance companies operate in complex situations like these, and we won't let them take advantage of your situation. That's why we offer a free, no-obligation consultation to explain your legal options. With our contingency fee structure, you pay no legal fees unless we win your case.

The sooner you [contact us](#) for a free consultation, the sooner we can begin building a strong case on your behalf.