6 WAYS TO OVERRIDE LIMITED TORT IN PA

Your Guide to Restoring Full Compensation Rights

Under Pennsylvania law (75 Pa.C.S. § 1705(d)), choosing "Limited Tort" limits your ability to sue for pain and suffering. However, these **6 statutory exceptions** automatically restore your full tort rights.



1. Out-of-State Vehicle

The restriction is lifted if the at-fault vehicle causing the crash is registered outside of Pennsylvania.

§ 1705(d)(1)



2. DUI / ARD Offender

Your full rights are restored if the at-fault driver is convicted of DUI or enters the Accelerated Rehabilitative Disposition (ARD) program.

§ 1705(d)(1)



3. Commercial Vehicle Occupant

You retain full tort rights if you were injured while occupying a commercial vehicle, such as a bus, taxi, or commercial truck.

§ 1705(d)(3)



4. Pedestrian or Bicyclist

Limited tort applies to occupants of private passenger cars. If you are struck while walking or biking, the limitation does not apply.

§ 1705(d)(3)



5. Uninsured Driver

If the at-fault driver carried no insurance, you can pursue your non-economic damages through your own UM coverage.

§ 1705(d)(1)



6. Serious Impairment

Your injuries overcome the limitation if they resulted in death, permanent disfigurement, or serious impairment of bodily function.

§ 1702

Remember: Insurance adjusters rarely volunteer this information. Always consult legal counsel to determine if an exception applies to your case before accepting a settlement.