

Bicycle Accidents Caused by Road Defects in Georgia

How A Pothole Or Crumbling Surface Turns A Routine Ride Into A Serious Injury Claim

Road defects are dangerous for every vehicle, but they're uniquely dangerous for cyclists. A driver who hits a pothole at 40 mph may feel a jolt and lose alignment. A cyclist who hits the same pothole may lose the bike, hit the pavement, and suffer injuries that don't resolve in days or weeks. There's no suspension system absorbing the impact, no airbag deploying in a fraction of a second, and no frame around the rider to limit what the road does to the body.

Georgia's roads include everything from Atlanta's aging urban streets to rural county routes that haven't been resurfaced in years. The [Georgia Department of Transportation](#) is responsible for maintaining state roads across more than 18,000 centerline miles, and municipalities carry parallel obligations for their own street networks. When either fails that obligation and a cyclist pays the price, Georgia law provides a route to compensation that requires specific legal knowledge to pursue correctly.

At the [Law Offices of Gary Martin Hays & Associates, P.C.](#), our [Georgia bicycle accident lawyers](#) represent cyclists hurt by road conditions that should have been corrected before anyone got hurt. Since 1993, we've recovered over [\\$1 billion for Georgia families](#) dealing with serious injuries, and road defect bicycle cases follow a specific legal path that differs meaningfully from standard collision claims.

What Types Of Road Defects Send Cyclists To The Hospital?

A road defect that produces a liability claim isn't any imperfection in pavement. It's a condition that a public entity had a duty to address, had notice of, and failed to fix within a reasonable time. The [common causes of bicycle accidents in Atlanta](#) and other communities throughout Georgia include driver behavior, but road conditions contribute to a significant share of serious rider injuries, particularly on urban streets where cyclists share narrow lanes with vehicle traffic and the margin for error disappears.

The categories of defects that consistently produce bicycle crash claims include:

- **Potholes And Pavement Voids:** A pothole that a car's suspension absorbs without consequence can send a bicycle's front wheel sideways in an instant. A rider traveling at 15 mph who hits a deep void has almost no reaction time, no crumple zone, and nothing protecting them from the pavement. Potholes form quickly during Georgia's winter and spring weather cycles, and the gap between when they're reported and when they're repaired creates the window where injuries happen.
- **Failed Or Parallel-Bar Storm Drain Grates:** Drain grates with parallel bars running in the direction of travel can catch a bicycle tire and stop it instantly. The bike stops. The rider doesn't. Falls from this mechanism are typically forward and high-impact, producing head and shoulder injuries that require extended medical treatment and often surgical intervention.

- **Asphalt Heaving And Uneven Surface Joints:** Where tree roots push up asphalt or adjacent pavement sections have settled unevenly over time, the resulting ridge or step creates a condition that car tires roll over but a bicycle wheel can't handle at any reasonable riding speed. These conditions appear frequently in older neighborhoods and along urban cycling routes where subsurface conditions have shifted without corresponding surface maintenance.
- **Pavement Edge Drop-Offs:** On roads without a shoulder or where the shoulder has deteriorated, cyclists face a lateral drop between the paved surface and the ground alongside it. If a wheel goes over that edge and the rider tries to steer back onto the pavement, the transition at speed can throw the bike completely. This condition is most common on county roads and secondary state routes where shoulder maintenance falls behind vehicle lane maintenance.
- **Unmarked Or Poorly Transitioned Utility Patches:** Temporary patches after utility cuts often develop raised or sunken edges that are difficult for cyclists to see in low light. When a repair crew leaves a patch that doesn't match the surrounding pavement height, every cyclist who travels that route faces a risk the crew created and the municipality failed to inspect and correct.

Consider a cyclist who rides the same commute through a midtown neighborhood every day. On a Tuesday morning, a pothole that appeared over the weekend catches the front wheel and throws the rider over the handlebars. The cyclist lands on the shoulder and breaks a clavicle and two ribs. The pothole had been reported to the city's non-emergency service line three days earlier. That service request log becomes the central piece of evidence in the legal case.

Georgia Law And The Municipal Duty To Maintain Safe Roads

Under [O.C.G.A. § 32-4-93](#), a municipality is liable for defects in public roads when it has been negligent in constructing or maintaining them, has actual notice of the defect, or when the defect has existed long enough that notice should be inferred. The statute relieves a city of liability for conditions it genuinely didn't know about and couldn't have discovered through reasonable inspection. But when a pothole has been reported through a service request, documented by a prior complaint, or photographed and shared publicly, the notice element is already in place.

That distinction makes records collection central to these cases. The 311 or non-emergency service logs, public works inspection records, prior incident reports from the same section of road, and maintenance schedules showing when the area was last inspected all contribute to establishing what the city knew and when it knew it. A municipality's own documents often tell the story better than any witness testimony.

Georgia also defines the legal status of cyclists on roadways. Under [O.C.G.A. § 40-6-294](#), cyclists operating on public roads have the right to use those roads and are subject to the same traffic rules as motor vehicle drivers. That legal status matters in defect cases because it establishes that the cyclist was lawfully using a road the government was obligated to maintain. The [lane fault analysis in Georgia bicycle cases](#) is particularly relevant when the defect was located in a

designated bicycle lane, since a cyclist riding in a dedicated lane carries an even stronger expectation that the surface will be safe.

Sovereign Immunity And The Claim Procedural Requirements

Suing a municipality for road conditions isn't the same as suing a private party. Georgia's sovereign immunity framework gives public entities a baseline protection from liability that doesn't apply to individual defendants. O.C.G.A. § 32-4-93 creates the specific statutory exception that allows defect claims to proceed, but claiming it means satisfying notice and claim-filing requirements that don't exist in ordinary personal injury litigation.

Claims against Georgia municipalities typically require an ante litem notice, which is a formal written demand served on the government entity within a specific window after the injury occurs. Missing that deadline can bar the claim entirely, regardless of how clear the liability is. This procedural layer is one reason why [bicycle accident claims in Georgia that involve serious injuries](#) need legal involvement quickly rather than weeks or months into recovery.

Injuries Cyclists Sustain When Road Conditions Cause Crashes

A road defect crash is typically high-impact because the rider has no warning. There's no time to brake, no opportunity to shift body position, and no protective structure surrounding the cyclist. The bike stops abruptly and the rider continues, which directs the impact into whatever the body contacts first.

[Traumatic brain injuries](#) occur in bicycle crashes even when the rider is wearing a helmet. Helmets reduce but don't eliminate the energy transferred to the brain during a sudden deceleration crash. A rider who hits the pavement head-first after going over the handlebars can sustain concussive forces that produce cognitive changes, chronic headache, and sensory disturbances lasting months or years.

[Road rash injuries](#) from pavement contact are both immediate and protracted. Deep abrasions require repeated wound care, carry significant infection risk, and leave scarring with permanent cosmetic consequences. Long-term spinal injuries from compressive or twisting impacts during bicycle falls include herniated discs, vertebral compression fractures, and nerve root damage that causes chronic radiating pain well beyond the initial injury phase.

Clavicle fractures, wrist fractures, and shoulder joint injuries from bracing impacts are among the most common surgical injuries in forward-fall bicycle crashes. Reconstruction and rehabilitation for these injuries can span many months, and some result in permanent range-of-motion limitations that affect a rider's ability to work and carry out daily activities.

How Comparative Fault Arguments Target Cyclists After Road Defect Crashes

Georgia's modified [comparative negligence framework](#) allows a municipality to argue that the cyclist contributed to their own injury by riding too fast, failing to notice an observable hazard, or choosing a route they already knew had problems. These arguments appear in road defect cases whenever the defect was visible from a meaningful distance or when a cyclist's speed is arguable.

The response to those arguments is built from the same evidence that proves notice. If the defect wasn't visible at the approach speed, wasn't marked or signed as a hazard, and appeared suddenly enough that no reasonable rider could have avoided it, the comparative fault argument doesn't hold up. The physical dimensions of the defect, the approach sightlines, and expert analysis of what a cyclist could reasonably have seen and done all go into [proving negligence](#) in these cases.

How SB 68 Affects What Cyclists Can Recover

Georgia's Senate Bill 68, signed April 21, 2025, affects the damages picture in road defect cases as it does in all personal injury litigation. The [phantom damages reform](#) means that juries now see both the amount billed for medical care and the amount actually paid, and municipalities use that gap to argue that the paid amount defines the upper end of reasonable medical damages.

Serious cycling injuries typically produce large bills because they involve surgery, extended hospitalization, and lengthy rehabilitation. Presenting the full scope of what those injuries cost, including future care and the lifetime functional effects of orthopedic and neurological damage, requires preparation that goes beyond the initial medical records.

What Municipal Notice Evidence Looks Like In A Road Defect Case

The most powerful evidence in a road defect bicycle case is often the government's own documentation. Service request logs, inspection records, maintenance histories, prior crash reports from the same location, and utility work permits for the area around the defect all produce a timeline that shows what the municipality knew and how long it waited before acting. That evidence has to be formally requested and preserved before it's overwritten or becomes unavailable.

Cyclists hurt by road defects don't pay us anything unless we recover money for them. That's what a contingency arrangement means in practice, and it's how we've handled these cases since 1993. If you were hurt on a Georgia road that should have been in better condition, [contact us](#) to talk through what happened and what your claim might be worth.