

What Happens If the Other Driver Doesn't Have Insurance in Maine?

Our attorneys can help you explore all options after an uninsured driver crash

Getting into a car crash is stressful enough. But finding out the other driver doesn't have insurance can make things even more complicated. You might wonder who's going to pay for your medical bills, lost income, or the damage to your car after a Maine [car accident](#).

In Maine, where car insurance is legally required, this situation can still happen. It often leaves victims feeling trapped and frustrated. The good news is that Maine law provides built-in protections that can help you recover compensation even when the at-fault driver has no coverage.

What are Maine's car insurance requirements?

Maine has some of the most comprehensive insurance requirements in the country. Every driver must carry liability insurance, which pays for injuries and property damage they cause in a crash. The [minimum required limits](#) are:

- \$50,000 for bodily injury to one person
- \$100,000 for bodily injury to two or more people
- \$25,000 for property damage

These amounts are often written as 50/100/25 coverage. In addition, Maine requires medical payments coverage (MedPay), which helps cover your medical expenses regardless of fault.

Unlike some no-fault states, Maine follows a fault-based insurance system. That means whoever caused your car accident is responsible for paying the damages. To drive legally, you must carry proof of insurance and show it during vehicle registration, at traffic stops, or after a car accident.

Still, even with strict laws and penalties, some drivers choose to take the risk of driving uninsured.

How common are uninsured drivers in Maine?

While Maine has one of the lowest rates of uninsured drivers in the country, it's far from zero. According to the Insurance Information Institute, around [5-6% of Maine drivers](#) are uninsured. That may sound small, but it represents thousands of vehicles on the road.

People drive without insurance for different reasons. Some let their policy lapse due to missed payments. Others underestimate the risk and hope they won't get caught. A few might be unaware that their policy was canceled. Whatever the reason, uninsured drivers create a serious problem for responsible motorists who follow the law.

If one of these drivers hits you, the lack of insurance doesn't just make the process harder, it changes how your entire claim works. Instead of filing against the other driver's insurance provider, you'll likely need to turn to your own coverage for help.

What happens if you're hit by an uninsured driver in Maine?

The first thing to do after any crash is make sure everyone is safe. Then call 911. When police arrive, they'll document the scene and verify whether the other driver has valid insurance. That report becomes critical evidence for your claim.

Here's what you should do after the crash:

- Get medical attention immediately, even if your injuries seem minor. Symptoms like whiplash or concussions can develop later.
- Exchange information with the other driver, but don't argue or assign blame at the scene.
- Take photos of vehicle damage, license plates, and the surrounding area.
- Gather witness contact information if anyone saw the crash.
- Notify your insurance company right away and explain that the other driver was uninsured.

Your insurance provider will likely open an uninsured motorist (UM) claim under your own policy. This coverage allows your insurance company to step in and pay for your losses as if they were the at-fault driver's insurance company.

The process isn't always simple, however. Even though you're dealing with your own insurance company, they may still try to reduce what they owe. That's one reason many people choose to hire an attorney early on; to ensure the insurance company treats the claim fairly and pays the full amount owed.

How does uninsured motorist coverage work in Maine?

Uninsured motorist coverage ([UM coverage](#)) is one of the most important protections built into every Maine auto insurance policy. It's specifically designed to help when the at-fault driver has no insurance or when you're the victim of a hit-and-run accident.

Maine law requires every policy to include UM coverage in amounts equal to your bodily injury liability limits, unless you sign a waiver requesting less. For example, if you have \$100,000 in bodily injury coverage, you automatically have \$100,000 in UM protection unless you choose otherwise.

Here's what UM coverage can pay for:

- Medical expenses related to your injuries
- Lost wages or reduced earning capacity if you can't work
- Pain and suffering caused by the crash

- Permanent disability or disfigurement
- Funeral costs, if the crash is fatal
- Property damage, depending on your policy

For example, if you're struck by an uninsured driver while stopped at a light and your injuries total \$80,000, your UM coverage would pay up to your policy limit.

UM protection also applies in more situations than many people realize. It covers you not just as a driver, but also if you're injured as a passenger, pedestrian, or cyclist hit by an uninsured driver.

Importantly, using your UM coverage doesn't automatically raise your premiums, unless you were at fault for the crash.

What if the other driver doesn't have enough insurance?

Sometimes the other driver has insurance, but not enough to cover the full extent of your injuries. That's where underinsured motorist (UIM) coverage comes in. Like UM, this coverage is mandatory in Maine and mirrors your liability limits unless you choose lower amounts.

Here's how it works. Suppose another driver causes a crash and carries the state minimum liability coverage of \$50,000, but your medical bills and other damages total \$100,000. Their insurance pays \$50,000, and your UIM coverage steps in to cover the remaining \$50,000 up to your policy limit.

UIM coverage essentially fills the gap between what the at-fault driver's insurance pays and your actual losses. It ensures that you don't end up paying out of pocket for someone else's mistake just because they carried inadequate coverage.

Sometimes, more than one policy may apply. For example, if you were driving a company car or were covered under a family member's policy, a lawyer can help determine whether those additional layers of insurance can increase your total recovery.

Can you sue an uninsured driver in Maine?

You can file a lawsuit against an uninsured driver, but whether it's worth pursuing depends on their financial situation. Many uninsured drivers don't have enough assets to pay for the harm they cause, even if you win in court.

However, there are situations where suing might still make sense. For example, if the driver owns property, has savings, or was working for someone at the time of the crash, your attorney might be able to recover compensation from those sources.

It's also worth noting that Maine follows a comparative negligence rule. Under Maine law ([14 M.R.S. §156](#)), you can recover damages as long as you're less than 50% at fault. Your

compensation is reduced by your percentage of fault. So, if you're found 10% responsible for the crash, your total award is reduced by 10%.

While suing an uninsured driver is often challenging, it can sometimes encourage settlement discussions with other involved parties, such as a vehicle owner or employer who may share liability.

What are your options if you don't have uninsured motorist coverage?

Although UM coverage is required in Maine, some drivers (especially those with older or out-of-state policies) may not have it or may have waived higher limits without realizing the risk. If that's your situation, you still have a few options for recovery:

- **Medical payments coverage (MedPay):** This coverage pays your medical bills up to your policy limit, no matter who caused the crash.
- **Health insurance:** Your health insurance carrier may cover your treatment, though it might later seek reimbursement if you recover compensation from another source.
- **Collision coverage:** If you purchased this optional coverage, it can pay to repair or replace your car after an uninsured driver crash.
- **Filing a lawsuit:** While difficult, suing the at-fault driver remains an option if they have any collectible assets or income.

Without UM or UIM coverage, you could be left paying for most of your losses out of pocket. That's why reviewing your policy each year is so important. Many drivers don't realize how affordable higher UM limits can be, and how much protection they provide when the unexpected happens.

How can a Maine car accident lawyer help after a crash with an uninsured driver?

After a car accident with an uninsured or underinsured driver, navigating the claims process can feel overwhelming. You're injured, dealing with medical bills, and unsure which insurance applies. Meanwhile, your insurance provider might pressure you to accept a settlement that doesn't fully cover your expenses.

[Romanow Law Group](#) can help you level the playing field by:

- Reviewing your insurance policy to identify all available coverage, including UM, UIM, MedPay, and any secondary policies.
- Handling communications with the insurance company, so you don't have to deal with confusing forms or settlement pressure.
- Investigating the crash by gathering police reports, witness statements, and medical documentation to build a strong case.
- Calculating the full value of your damages, including long-term medical needs, lost earning capacity, and emotional distress.

- Negotiating or litigating to ensure you receive the compensation you're entitled to under Maine law.

Our legal team has a proven record of holding negligent drivers accountable and protecting victims when insurance companies refuse to play fair. [Contact us](#) today for a free consultation and find out how we can help you get the justice and compensation you deserve.