

This is a newsletter prepared by lawyers to advise bicyclists about the joys of riding, bicycle safety, active transportation, and cyclists' rights. Bicycle Law is owned and operated by Coopers LLP, which has lawyers licensed in California, Oregon, and Washington state. Coopers LLP is regularly consulted by attorneys and cyclists nationwide on strategy related to bicycle crashes.



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**BICYCLE
LAW**



ROLLING RESISTANCE

ISSUE #17 | FALL 2026 | PARALLEL TRACKS

RAIL ADVENTURES, "NO CONTACT" CASE, ALTO VELO RACING CLUB, AND MORE ►

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Bicycle Law's lawyers practice law through Coopers LLP, which has lawyers licensed in California, Oregon, and Washington state, and can affiliate with local counsel on bicycle cases across the country to make sure cyclists benefit from cycling-focused lawyers.

If there is a common thread running through this issue, it's the power of connection: how the infrastructure we share, the communities we build, and the stories we tell bring us together as cyclists.

In this issue, we reflect on how rail lines like Caltrain and Amtrak do more than move us from point A to point B: they build organic community among commuters, racers, and bikepackers alike.

We also break down a major \$1.3 million Oregon settlement for a nurse forced into a catastrophic emergency stop by a commercial tow truck, proving that a driver is legally responsible even when your bike never physically touches their vehicle.

Longtime Alto Velo Racing Club member Edward Stewart shares how one of NorCal's premier racing clubs grew into an inclusive 400-member community, raised the profile of the historic Pescadero Road Race, and created welcoming entry points like the "Joy Ride."

Finally, we examine why "were they wearing a helmet?" is the wrong question after a crash.

Whether you're catching the early train for a weekend group ride, lining up for a training race, or commuting through city streets, thank you for being part of this vibrant community.

*Hoping you keep the rubber side down,
Miles B. Cooper, Maryanne B. Cooper, Bob Mionske,
and everyone at Bicycle Law*



WHEN “NO CONTACT” DOESN’T MEAN “NO CASE”

Some of our most critical work involves disproving typical defense excuses that insurance companies rely on to undervalue claims. One of the most common? *“Your bike never hit our vehicle.”*

This Oregon case demonstrates why emergency evasive action is fully compensable under the law—and how commercial accountability can be won even in the face of life-altering injuries.

Note: Names have been anonymized.

The commute that changed everything

Before July 2023, Jane dedicated her life to helping others. An Ivy League graduate and former Doctors Without Borders advocate, she worked as a specialized registered nurse, assisting in transplant, plastics, and urology surgeries. Off the clock, she was an experienced bike commuter and a competitive rower who trained several days per week.



On a clear, sunny morning, Jane was riding her routine route to work along SE Clinton Street—a designated neighborhood greenway. As she approached 27th Avenue, a driver operating a 5-ton commercial tow truck blew past a stop sign and accelerated straight across her lane.

Jane was forced to make a split-second decision: crash into a 5-ton steel wall or slam on the brakes. She chose survival. The violence of her emergency braking catapulted her over the handlebars. She slammed onto the asphalt with catastrophic force.

“No impact” doesn’t mean no liability

Because Jane swerved and braked so hard, her bicycle never physically touched the tow truck. In many cases, defense carriers will use the absence of a vehicle-on-vehicle impact to argue a lack of causation.

We immediately dismantled this defense. Under Oregon law, running a stop sign and failing to yield to a cyclist in a bike lane constitutes negligence per se. The driver’s reckless maneuver directly forced Jane into a sudden, life-saving emergency stop. The legal responsibility for her injuries rested entirely on the driver and his employer.

The invisible toll of bilateral fractures

The impact broke both of Jane’s arms. The injuries were so severe that paramedics couldn’t even put her in standard slings for transport; they had to pad her arms with blankets. That night at OHSU, she underwent emergency surgeries to install a metal plate, screws, and an artificial radial head in her dominant right arm.

For eight weeks, Jane was completely dependent on her partner for basic survival: he had to shower, dress, and feed her. Beyond the \$170,000 in hard economic damages, the non-economic loss was profound:

- **Career impact:** Permanent loss of full right-arm extension and reduced dexterity in her dominant hand is devastating for an operating room nurse.
- **Loss of passion:** An abrupt end to her rowing season and an inability to return to bike commuting.
- **Family strain:** During her recovery, her father suffered a major health crisis; because Jane couldn’t drive or move her arms, she was completely unable to help her mother care for him.

The \$1.3 million result

Faced with overwhelming proof of liability, detailed medical analysis, and the reality of a corporate defendant, the commercial insurer agreed to a \$1,300,000 total settlement—a result that exceeded the underlying \$1 million policy limits.

Key takeaways for riders

- **Emergency evasion is covered:** You do not need to make physical contact with a reckless driver's car to have a personal injury claim. If their illegal maneuver forces you to crash while avoiding a worse collision, they are legally at fault.
- **Commercial policies matter:** Wrecks involving commercial vehicles (like tow trucks, delivery vans, or taxis) involve higher policy limits and corporate responsibility, making it vital to thoroughly investigate the employer's liability.
- **Document "household loss":** When severe injuries prevent you from doing daily tasks, the time your loved ones spend taking care of you has real, quantifiable legal value.



You do not need to make physical contact with a reckless driver's car to have a claim.

ADVENTURES ON RAIL (WITH BIKES)

By Miles Cooper

Boarding one of Caltrain's bike cars in San Francisco bound for Palo Alto, I looked around. And not surprisingly was met with interesting bikes and riders. Caltrain is the San Francisco peninsula's unsung workhorse rail line. For decades it moved commuters, sports fans, concert goers, and pleasure seekers via heavy diesel locomotives between San Francisco and Gilroy. In the past few years the line was converted to electric, speeding up travel times. Those heavy diesels take longer to decelerate and accelerate into and out of stations. As a diesel-style rider myself—consistent but never very snappy—I get it.

Caltrain, like many rail services, recognized the benefit of bikes. Bikes allow folks to get to stations without the need to park a car, and on the other end to ride to their destination. Caltrain runs two dedicated bike cars per train. What started as a commuter benefit has become much more, however. On this particular Saturday I was riding the first train south from San Francisco, bound for the 9am Alto Velo group rides starting in Palo Alto.



Oh, the places you'll go!



Los Angeles Union Station.

Caltrain, and the other rail services that encourage bikes, did not intend to build greater community. Yet it happened organically, particularly on Caltrain. Caltrain's dedicated bike cars concentrate riders together. It's the unintended added joy of every rail-bike adventure. Every time I ride I either run into folks I know or meet interesting riders.

On this particular weekend morning there were some bike commuters. While there are all types of bike commuters, some particular fields favor bikes because of the odd hours. Healthcare providers with swing shifts, when connecting transit is scarce, are one such field, and there were a few in Stanford Health vests and scrubs heading to work. In my mind I quietly gave thanks for their dedication. Our daughter, who is healthy now, benefitted from their life-saving care during a year-long cancer battle at age three. To this day I can't see a Stanford provider's logo without welling up.

While the weekend bike cars carry some commuters they are also hotbeds for the spandex and adventure set. This particular Saturday was no exception. As the train pulled into its second station, affectionately known as The Pit for its deep cut location on the far side of Potrero Hill, a couple riders I knew boarded. I said hello and learned they had scored

coveted slots for the docent-led ride in the forbidden forests around Crystal Springs reservoir.

This expansive protected watershed for San Francisco remains off-limits, yet tantalizing. Someday, perhaps, I'll ride there. Someday, perhaps, the region will be opened to the public for recreation in the way Marin Municipal Water District, East Bay Municipal Utility District, and others currently allow. I got an outline of their day's expected ride. I also heard a little bit about bigger adventures. While the day's ride was a small adventure for her, Emily Bei Cheng (alpinemily.com) shared a little bit



Your multimodal author. All aboard!

about one of her recent outings. She had ridden Lost Dot, a 1,200 km race in Europe for women, non-binary, and trans riders.

Why do I name drop? To emphasize the joy and serendipity in bike-rail encounters. I was simply heading to a local ride and got to hear about world adventures from a cycling celebrity. Talk about big rides whetted my appetite. Yet as a father with a 12-year-old and 14-year-old who (blessedly) still want my company, I treasure adventure stories as ways to experience big bike outings vicariously. In future years, health and spirit willing, I'll go big again myself.

As they disembarked I reflected upon some of the outings rail afforded me. My past adventures almost always started by rail. My adventure partner for the last thirty years lives in the Los Angeles basin. Loading my bike in Oakland, fully assembled, onto an Amtrak Coast Starlight (beautiful and slow) or San Joaquin (gritty and less slow) luggage car was always the moment the adventure felt real. Handing that bike up always produced a few skips in my heart: I was on my way. As the train carried me to my destination I would contemplate the planned outing, scrolling Google Earth when connectivity was strong enough. Deep multiday dirt forays into the Angeles Forest. Using other rail (Metrolink) and bus for a Big Bear-to-Pasadena fire road push. Upon arrival I'd walk back to the luggage car, be handed my fully assembled bike, and be able to ride to my LA destination.

Why the fully assembled references? To emphasize just how easy it has gotten for cyclists to use Amtrak as a connector. In times past Amtrak required bikes be broken down into a bike box to go onto a luggage car. No more. For through riders, say someone riding from Seattle to Portland (or further) this creates tremendous opportunity.

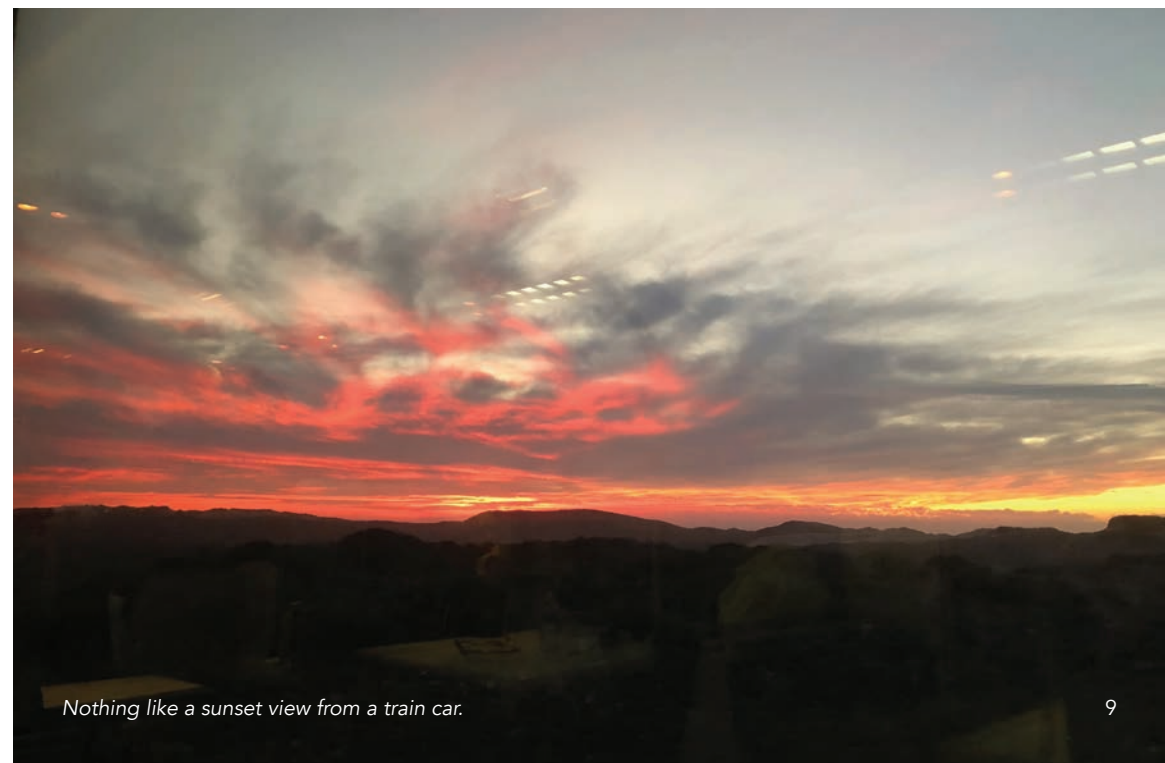
My only Amtrak sleeper car experience was another bike adventure. Oakland to LA's Union Station, then the Southwest Chief to Flagstaff. As I settled into sleep, rocking back and forth, I watched the full moon light up the desert. I arrived in Flagstaff in bitter early cold, grateful for sun and movement as I made my way south. The canyon descent into Sedona's red rocks took my breath away.

I roused from my reflections—still on Caltrain. I understand the concept of presence and living in the moment. And yet I often find myself planning the future or contemplating the past. I was glad I roused myself. I ended up in a conversation with a couple other riders I did not know. They were headed to the Spectrum ride, a hammerhead special.

The bike ride that day was a particularly marvelous one, nicknamed Crazy Horse for its long descent to a gate, behind which was Neil Young's ranch. The road has super low traffic since one can't go through. And since one can't go through, we reached the bottom, reassembled, and climbed our way up and out. The microclimates included redwoods, grassy meadows, and golden poppies.

On the Caltrain ride back I of course ran into more cyclists. A few intrepid Thursdays.cc riders were on their way back after a full day's ride from San Francisco to Santa Cruz and then over the mountains to Santa Clara. Hearing about it made me tired. Listening in to their tales with me was another rider who I had met on BART on our way to a Mt. Hamilton ride a month prior. On that ride he kept the fact that he worked at Ritchey—OG bike royalty—to himself.

I disembarked in San Francisco feeling sated. My personal bike adventure was perfect for me at this point in my life. What nourished me beyond my own ride was the interaction with others and hearing their stories. Big rides in Europe. Quiet rides in watersheds. Hammerfests. Coastal and mountain pushes. Simple commutes. All riders, all interesting, and all sharing space. It made me appreciative for what we've got and the through line—here parallel pieces of steel—connecting it all.



Nothing like a sunset view from a train car.

Alto Velo has been a fixture of Northern California cycling since the late 1980s. Photo courtesy of Alto Velo Racing Club.



THE EVOLUTION OF **ALTO VELO**

If you've spent any time on the roads (or trails) of San Mateo or Santa Clara counties, chances are you've rolled past a sea of riders in Alto Velo's colorful gradient kits. Alto Velo Racing Club has been a fixture of the Northern California cycling scene since the late 1980s. But if you think Alto Velo is just an elite race team, you haven't been paying attention to how the club has transformed over the last few years.

We sat down with long-time Alto Velo member and Club President Edward Stewart to talk about the history of the club, the rising challenge of keeping local road racing alive, and why the partnership between Alto Velo and Bicycle Law feels like a natural fit.

An evolving peloton: From pro ranks to the "Joy Ride"

When Edward Stewart joined Alto Velo in the late '80s after looking for a group to join to complement his triathlon training, the club operated primarily as a hardcore Northern California racing outfit. Over the decades, its size and focus fluctuated, at times sponsoring elite squads competing at the highest levels of the sport, and at others operating as a tight-knit local collective.

Post-COVID, however, the club experienced a massive resurgence, growing into an expansive community averaging 350 to 400 members annually.

"We've focused heavily on breaking down the barriers between competitive racers and recreational riders," Edward explains. "Whether you're a Stanford student, a former world champion, or someone picking up a road bike for the first time, there's a place for you."

Today, Alto Velo opens its group rides to non-members and offers a spectrum of ride tiers—including the newly introduced "Joy Ride," designed as a low-pressure entry point for newcomers. Beyond the pavement, the club actively helps members branch out into gravel and cyclocross by defraying event costs and building supportive off-bike channels via Slack and Google Groups.

Saving the Pescadero Road Race

One of Alto Velo's proudest contributions to NorCal cycling is organizing the historic Pescadero Road Race, a staple of the regional racing calendar, for over a decade.



Always in the mix. Photo courtesy of Alto Velo Racing Club.

In recent years, hosting a traditional road race in California has become a financial nightmare. Between sky-rocketing fees for California Highway Patrol (CHP) escorts, rising insurance costs, and complex detour management around coastal construction projects (like ongoing work on Highway 84), many iconic NorCal races have simply disappeared.

When Pescadero faced a similar fate, Alto Velo stepped up to revitalize it:

- **The multi-sponsor pivot:** Instead of relying on a single major corporate sponsor, the club transitioned to a resilient, multi-sponsor funding model supported by local partners.
- **Elevating status:** Under the leadership of race director Bernardo Tapia and a legion of club volunteers, Pescadero was chosen to host the NCNCA District Championships.
- **Community flavor:** The 2026 edition was a roaring success, featuring smooth logistics, clean racing, and creative touches—like a self-service water bottle grab station.

Alto Velo and Bicycle Law: A shared mission

The partnership between Bicycle Law and Alto Velo began around 2020, sparked by a shared commitment to rider safety, community advocacy, and showing up for the NorCal cycling scene. For Miles Cooper and the Bicycle Law team, supporting Alto Velo isn't just about putting a logo on a jersey: it's about standing behind an organization that protects and nurtures local bike culture.

Similarly, the club is more than a place to chase watts. It's a social sanctuary where people connect through off-bike holiday banquets at Sports Basement, summer picnics at Huddart Park, and charity initiatives like the Bike Hut Classic and the Coastal Classic.

Get out there

Whether you're looking to pin on a number at Pescadero, dip your tires into the gravel scene, or simply enjoy a Saturday loop through the Peninsula hills, Alto Velo's doors are wide open.

Keep an eye out for Bicycle Law at upcoming Alto Velo events—and if you see us on a Saturday morning ride (we provide coffee and pastries on the first one of the month), don't hesitate to say hello!



Unbound finishers! Photo courtesy of Alto Velo Racing Club.

BICYCLE FILM FESTIVAL RETURNS TO **SAN FRANCISCO**

By Miles Cooper

On July 27, 2026, the Bicycle Film Festival returned to San Francisco for the first time since the pandemic, and it was fantastic! The BFF was started by Brendt Barbur 25 years ago as a way to turn a negative experience—getting hit by a bus while riding in New York City—into a positive one. Brendt wanted folks to understand the joy of bikes and art despite his experience. And it worked. Over 100 cities and 1 million viewers later, the BFF's success demonstrates that Brendt found an untapped thirst.

The films reached a sold-out crowd at its Mission District venue. I found it hard to keep my eyes dry during several of the first screening's shorts. A few examples: Paralympic amputee track cyclists navigating their way to international competition in the midst of the Gaza War; the Khaltsha Cycling Academy's all-girls cycling group's challenges in South Africa; and a lens into the Santa Barbara chapter of Cycling Without Age's program to help the elderly continue their ability to experience nature and pedal power even as the joints and synapses slow.

One of the most fascinating things to watch was the BFF's guerilla marketing approach, one that went well beyond the socials to IRL. Associate Producer Carlos Elizondo, using his track bike, canvassed San Francisco's bike shops, clubs, and commuter networks. The door-busting attendance seems to demonstrate proof-of-concept in this approach.

A special thanks to the San Francisco Bicycle Coalition's Deb Clearwater for connecting the BFF team to Bicycle Law so that we could help sponsor this wonderful event. Knowing that Bicycle Law has presented bicycle community films in the past, Deb recognized a good fit when she saw one. We're hoping Brendt and his team return next year and are actively working to make that happen, so stay tuned!



Miles with a brief pre-show.

EVENTS, RIDES, AND GOINGS-ON

Clip in to some fun with friends. We've included a list of cycling events that we enjoy (and happen to support). Flavors include group and recreational rides, road races, mixed terrain adventures, and more. For more details, check out the organizers' websites or social media channels.

- Alto Velo Racing (altovelo.org)
- Fat Cake Club (fatcake.cc)
- Grasshopper Adventure Series (grasshopperadventureseries.com)
- Velo Promo (velopromo.com)



Photo courtesy of Grasshopper Adventure Series.



NOVEMBER

- Nov 2:** Fat Cake Club WTFNB + Allies ride ☕🍩 | *San Francisco, CA*
Nov 7: Supermarket Street Sweep p/b Bicycle Law | *San Francisco, CA*
Nov 7: Alto Velo Saturday rides p/b Bicycle Law ☕🍩 | *Palo Alto, CA*

DECEMBER

- Dec 5:** Alto Velo Saturday rides p/b Bicycle Law ☕🍩 | *Palo Alto, CA*
Dec 7: Fat Cake Club WTFNB + Allies ride ☕🍩 | *San Francisco, CA*

JANUARY

- Jan 2:** Alto Velo Saturday rides p/b Bicycle Law ☕🍩 | *Palo Alto, CA*
Jan 3: Velo Promo Early Bird Training Series #1 | *Livermore, CA*
Jan 4: Fat Cake Club WTFNB + Allies ride ☕🍩 | *San Francisco, CA*
Jan 10: Velo Promo Early Bird Training Series #2 | *Livermore, CA*
Jan 17: Velo Promo Early Bird Training Series #3 | *Livermore, CA*
Jan 24: Velo Promo Early Bird Training Series #4 | *Livermore, CA*
Jan 28: Fat Cake Club city loop ending at Breadbelly ☕🍩 | *San Francisco, CA*
Jan 31: Grasshopper Adventure Series #1: Low Gap | *Ukiah, CA*

☕🍩 = Coffee and pastries on us!

THE HELMET PARADOX

“Don’t look at the comments” is an all-too-common mantra for news stories where a cyclist crashing is the headline.

A rider gets struck by a speeding SUV or dragged under a turning truck, and before the news story is even fully loaded, the top comment appears: *“Were they wearing a helmet?”*

It doesn’t matter if the crash involved a ten-ton vehicle rolling over a rider’s lower body—the public reflex is always to look for the styrofoam hat. It’s an easy, comforting reaction because it shifts the entire conversation from systemic road safety to individual responsibility.

At Bicycle Law, we deal with the legal and human aftermath of road violence every day. And while we wear helmets, we also recognize an inconvenient truth: leaning on helmet use as a proxy for road safety is actively making our streets more dangerous.

Micro vs. macro perspectives

If you spend your days working in an ICU, advocating for helmet use is a no-brainer (pardon the pun). Doctors see the devastating, life-altering reality of traumatic brain injuries firsthand. When a head hits asphalt, a



helmet undeniably reduces the severity of the impact. From a treating physician’s perspective, not wearing one feels like a reckless gamble.

However, when you zoom out to the level of street design and city planning, centering the safety conversation around helmets creates massive secondary problems:

- **Victim-blaming by default:** It shifts the legal and moral burden from reckless drivers, bloated vehicle designs, and poor street layouts onto the most vulnerable road users.
- **The “armor” effect:** Studies have shown that motorists actually pass closer to cyclists wearing helmets, subconsciously viewing them as less vulnerable.
- **Perception of danger:** Fixating on helmets sends a public message that cycling is an extreme, inherently dangerous activity, which depresses overall rider numbers. And as European cities have proven for decades, the single best safety feature for cyclists is safety in numbers.
- **The Dutch contrast:** In the Netherlands, almost nobody wears a helmet for utility riding. Yet, it remains one of the safest places on earth to pedal. Why? Because their safety comes from protected infrastructure, lower vehicle speeds, and street design—not plastic headwear.



Telling an eight-year-old child to put on a helmet to ride on an unprotected four-lane arterial isn't a safety strategy. It's an abdication of adult responsibility. Helmets are a personal choice for risk management, not a policy tool for traffic safety.

Decoding helmet tech

Until American cities catch up to Utrecht and rebuild our streets for people over horsepower, wearing a helmet on our roads remains a sensible personal choice. But not all helmets offer the same protection, and understanding the tech matters.

Standard EPS foam vs. Rotational tech

- **Traditional EPS (Expanded Polystyrene):** Standard foam helmets are designed primarily for linear impacts—a straight-on, direct hit. They crush on impact to absorb peak force.
- **Rotational protection (MIPS, WaveCel, KinetiCore):** Most real-world bike crashes don't happen in a straight line; you hit the ground at an angle, causing your head to rotate rapidly. This rotational motion causes brain shear—a major cause of severe concussions and TBIs. Technologies like MIPS (a low-friction slip liner) or WaveCel/KinetiCore allow the helmet to rotate independently of your head by a few millimeters, redirecting those twisting forces.



MATCHING THE HELMET TO THE RIDE		
HELMET TYPE	BEST USED FOR	KEY FEATURES
Commuter / Urban	City streets, e-bikes	Extended coverage at the back of the head, integrated LED lights, fewer vents for weather protection.
Road	Training, group rides, long miles	Deep ventilation channels, ultra-lightweight, aerodynamic profiling, integrated rotational protection (MIPS).
Gravel / Trail	Off-road, technical terrain	Deeper rear head coverage, adjustable visors, heavier impact liners designed for higher-speed tumbles.

Tips and takeaways

Wear a helmet that fits well and utilizes modern rotational tech like MIPS. Check it regularly for cracks, and replace it every three to five years (or immediately after any crash). That 3–5 year recommendation is not to keep helmet manufacturers flush but because the synthetic materials that help helmets perform can break down over time. That increases with UV radiation (sunlight) so if you're a heavy daylight rider that period may be closer to 3 years.

And the next time you see a news story about a collision, don't ask if the rider was wearing a helmet. Ask why the street design allowed the crash to happen in the first place, why the vehicle was travelling at an unsafe speed, and what we need to do to fix the infrastructure.

Real safety is more than something you strap to your head. It's something we build into our streets.