



# Full Tort v Limited Tort

In Pennsylvania, individuals who drive an automobile are required to purchase auto insurance. Consumers are presented with two choices: full tort or limited tort.

The first question I ask every client who comes into our office is,

**“Do you have full tort?”**

Unfortunately, the answer to that question tends to be limited tort in far too many circumstances.

**So, what is the difference?**

## Limited Tort

Limited tort allows an individual in a car accident to recover their damages for out of pocket expenses (OOP), such as OOP medical bills, auto repair costs, wage loss due to missing work, and/or other actual monetary losses. However, in a limited tort case, the injured individual CANNOT assert a claim for pain and suffering, barring an exception for a “serious injury”.

## Full Tort

Full tort allows an individual in a car accident to recover all of the same damages as limited tort, i.e. OOP expenses, auto repairs, etc. But, an individual with full tort can recover for their pain and suffering! This means if you are forced to receive medical treatment to heal your injuries, such as an orthopedic visit, physical therapy, chiropractor, neurologist, or any other treating physician deemed necessary, you can be compensated for this treatment.

***Here is an example:***

Suzy Q is driving red car and John Doe is driving blue car. Blue car, driven by John, negligently blows through a red light and smashes into red car, driven by Suzy. John’s insurance company admits fault. Suzy’s vehicle is rendered completely inoperable and it costs \$5,000.00 to repair.

Suzy is injured in the accident. She begins having back and neck pain. Suzy sees her primary care physician (PCP), who orders her to do 6 weeks of physical therapy and chiropractic adjustments. After six weeks of daily treatment, Suzy is still not feeling better. She returns to her PCP, who sends her to a neurologist. The neurologist discovers Suzy has nerve damage from the accident, and minor surgery is necessary. Suzy misses one week of work for the surgery. After her surgery, Suzy is forced to be cautious the next 4-6 weeks to avoid re-aggravating her injury. Finally, months after the accident, Suzy is back to feeling normal.

If Suzy had limited tort, she could only recover for her OOP expenses. She could recover any co-pays she makes on her medical bills, and the \$5,000.00 of damage to her vehicle. Also, she could recover her lost wages from her missed work. Suzy could NOT recover for the pain and suffering she underwent.



If Suzy had full tort, she could recover her OOP expenses, the \$5,000.00 of property damage, and her lost wages. Additionally, she could recover for her pain and suffering. Her damages would be 6 weeks of chiropractic adjustments, 6 weeks of physical therapy, surgery to fix nerve damage, and the overall pain and suffering caused by John Doe. Her recovery would be much, much higher with full tort compared to limited tort.

With limited tort, you are leaving yourself vulnerable. If you are in a car accident, and you are injured, you will be left to fend for yourself. With full tort, you have the opportunity to obtain a recovery to compensate you for the pain and suffering you have undergone due to the negligence of someone else.

**Bottom line:** You need to get full tort. Limited tort just does not provide enough protection in case you are injured in an auto accident in Pennsylvania.