Animal Bites: Who Pays Damages?

Sometimes, a person injured by an animal bite does not want to bring a legal action against the animal’s owner, out of worry that the owner will face economic hardship as a result. In many cases, however, the animal owner does not pay anything, because an insurance company covers the expenses of a legal claim and any resulting settlement or judgment. Depending on the specific situation, a legal claim resulting from an animal bite injury may be paid by one or more of the following sources:

**Homeowner’s Insurance**

In most instances, an animal owner’s homeowner’s insurance will cover liability arising from dog bites (and injuries caused by other common household pets) that occur on the owner’s property. The average amount of liability coverage in homeowner’s policies is between $100,000 and $300,000. However, insurance companies will generally only cover the first incident in which an animal causes injury, because many homeowners’ policies include language that excludes any subsequent claims related to dog bites or other animal-related injuries. There are also certain insurance companies that refuse to cover specific breeds of dogs, such as Pit Bulls or Rottweilers.

Keep in mind that some homeowners’ insurance policies reduce coverage for incidents that occur away from the homeowner’s property. For example, some policies explicitly exclude injuries connected to vehicles. So, if someone is walking their dog at the local park, and the dog bites someone, the bite would be covered by insurance; but if the same dog bit someone through the window of a car, that might not be covered.

**Car Insurance**

Even if a homeowner’s insurance policy does not cover a bite that occurs in a car, such bites might be covered by an owner’s automobile insurance. Often, both automobile insurance and homeowner’s insurance policies will cover an animal bite that occurred in a car (or possibly on a car, if the animal is in the back of a pickup truck). When this happens, both insurance companies will usually argue that the other company is responsible for covering the loss. In most cases, this argument does not involve the injured person, but is a matter for the insurance companies to resolve.

**Animal Insurance**

There are specialty insurance companies that provide insurance for pet owners. As noted above, many insurance companies refuse to cover animal-bites after one incident. As a result, the owner of a “repeat offender” pet often has no choice but to look for coverage from an insurance company that specializes in animal coverage.

**No Insurance**

Even if an animal owner does not have insurance that covers animal bites, you are still entitled to bring a legal claim against the owner to recover your damages. If you feel reluctant to bring such a claim, keep in mind that if the person responsible for your injury does not pay your medical bills and compensate you for your lost income (which could be significant), you will bear these losses alone.