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Recovering For Injuries In Truck Accidents

Each year, over 5,000 people are killed in accidents with trucks and over 100,000 are severely injured. Large trucks can weigh over ten times as much as a passenger vehicle, so accidents between cars and trucks are far more serious to the car's driver than the truck's driver. According to published reports, over 90% of people killed in car-truck accidents are the occupants of the car.

Because of the nature of truck accidents, including the heavy loads, long driving hours and drivers under pressure to deliver goods quickly, car-truck accidents usually have more complicated issues than accidents involving just cars. Here is information about truck accident claims.

Liability for Injuries

As with most accident claims, negligence must usually be shown. This means a party failed to use reasonable care, which caused a person's injuries. Victims usually try to show a truck driver's negligence by such factors as the truck driver's speeding or careless driving, poor maintenance of the truck, too much cargo, or driver fatigue.

Responsible Parties

The driver of a car who is hurt in an accident with a truck typically makes a claim against the truck driver and his or her employer. Under the law, employers are liable for the acts of employees occurring on the job. This provides another source of recovery for the accident victim if the truck driver does not have enough money or insurance to pay a claim.

If the truck driver is not a company employee but rather an independent contractor, then other issues come into play to determine if the trucking company is liable, including how much control the company has over the truck driver. It's hard for most

non-lawyers to determine which parties are legally liable in truck accident cases, so an attorney's help is vital.

Here are some recent real-life cases involving truck accidents:

- A woman driving her car up a mountain road was killed when a truck coming down lost control and hit her. The woman's husband made a claim against the driver of the truck and the company that hired him. The man alleged the truck driver's speeding caused the accident. The parties settled, with the man receiving a large amount of compensation from insurance companies for both the truck driver and his employer.
- Another woman was killed on a highway when a truck crossed the center line and hit her. A claim was made against the truck's driver and his employer, which was accused of not having done a proper background check on the truck driver, who had a poor driving record. A jury awarded the woman's family a large amount of damages.

Damages You Can Recover

If you are hurt in an accident with a truck, you can likely be compensated for many types of damages, including lost wages, medical bills, pain and suffering and damage to your car. You may be entitled to compensation even if you are partly at fault for the accident.

Families who lose a loved one in an accident involving a truck can make a "wrongful death" claim.

Truck accidents are potentially very costly to employers and trucking companies, so after an accident, businesses act fast to limit their liability. Company representatives and investigators may try to interview victims, and will likely try to shift blame away from the truck driver. This may include trying to get the driver of the car to admit he or she caused the accident, destroying evidence or other steps. Because of this, it is vital to contact a lawyer promptly if you or a loved one has an accident with a truck. You need a lawyer's help to protect your legal rights. Also, except for answering police questions or providing the other driver with information required by law, do not give a statement or sign anything without first consulting your lawyer.

Truck accidents can devastate the injury victim and his or her family. The injuries and economic and other losses will likely be much greater than from an accident with a passenger vehicle. Because of this — and because of the often complicated issues in truck accidents — it is critical to have legal help immediately if you or a loved one has an accident with a truck.

Call Us For Help

Please call us for all your legal needs. We offer a full range of legal services to individuals, families and businesses, including personal injury, estate planning, real estate, family law and business matters. We are dedicated to providing the highest quality legal services at a reasonable cost.

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