

Semi Truck vs. Auto Accidents

Important Legal Differences That Can Affect Your Case

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If you're hurt in a vehicle crash, your injuries are just as painful whether you were hit by a car, an SUV, or a semi truck. Legally, however, there are significant differences between an accident with a car and an accident with a truck.

There are many important factors that set truck accidents apart—the size difference of the vehicles which means a higher potential for catastrophic injuries, the rules and regulations of the trucking industry, multiple parties responsible for the crash, and more.

Here's what you should know about semi truck accidents.

Duty of Care

In Missouri, the standard for a driver is to use the “highest degree of care” when driving. For a professional truck driver, that duty includes obeying additional regulations. The motoring public deserves this extra care, since semi trucks weigh upwards of 20 times more than a car, and the potential for damage is significantly higher.

Every driver operating a vehicle must obey traffic laws. The regulations for commercial truck drivers, however, are more extensive. State and federal regulations govern everything from how many hours they can spend behind the wheel, to inspection and maintenance schedules, to the proper type of reflective markings required on a truck. Lawyers who aren't familiar with these regulations can miss opportunities to help their clients and recover all of the losses after a crash.

Financial Liability

In a crash between passenger vehicles, drivers exchange personal insurance information with all involved drivers to begin the process of taking responsibility. Typically, if you were hit by another car, the other driver's insurance is responsible for your damages. Occasionally, an outside party may be held liable for a car accident—for example, in a drunk driving case, the party that over served the driver alcohol prior to the accident may have helped cause the crash.

In trucking accidents, the driver's insurance is rarely the only one responsible. The truck owner, and trailer owners may be different, and if so, both have to maintain insurance. In addition, there may be multiple entities responsible for putting the truck driver in the situation that caused the crash: the trucking company, leasing company, load broker, maintenance company, and tire or parts manufacturers. These parties can all be potentially liable for an accident that results in serious injury or death.

Rules of the Road

Every driver operating a vehicle must obey traffic laws. The regulations for commercial truck drivers, however, are more extensive. State and federal regulations govern everything from how many hours they can spend behind the wheel, to inspection and maintenance schedules, to the proper type of reflective markings required on a truck. Lawyers who aren't familiar with these regulations can miss opportunities to obtain financial compensation for their clients.

After an Accident

Many car accident victims aren't sure what to do after an accident. If you're hurt, your focus is on treating yours and your families' injuries rather than immediately gathering evidence and recovering your losses.

Trucking companies and their insurers expect that crashes are going to occur and are prepared to take aggressive action to limit their losses. Many truck companies have around-the-clock mobile response

units on call. Within hours of an accident, investigators can be on the scene gathering evidence, interviewing witnesses, and sometimes even influencing the official investigation done by law enforcement personnel.

It's important to contact an attorney as soon as possible after a truck accident. It's not uncommon for black box data, logbooks, and other crucial evidence to go missing if you don't have someone on your side preserving it immediately.

Choosing the Right Attorney

You need to choose the right attorney to fight for you in your truck accident case, perhaps more so than for any other type of litigation. Because the trucking company will have already gathered evidence by the time you are able to choose a lawyer, your lawyer is coming in late to the process. Knowledge is power and you start out in any trucking case with less information than the other side has. A good attorney will work to quickly remedy that situation!

Look for a lawyer who is familiar with the state and federal regulations that govern over-the-road trucking, and someone who knows the right experts and can make sense of what occurred and how you were injured. Trucking companies defend themselves and their profits rigorously. If you've been hurt in a truck accident, you need a lawyer who is willing to fight just as hard on your side.

Contact Us

If you or a loved one has been involved in a car crash or a wreck with a semi truck, a tractor-trailer, or an over-the-road truck, contact The S.E. Farris Law Firm today. We are happy to visit with you without cost or obligation and help you with your case, or point you in the right direction if we don't take your case. Please visit www.farrislaw.net or call **314-A-LAWYER (314-252-9937)**.