What a Car Accident Attorney Looks at After a Rear-End or T-Bone Crash

Rear-end and T-bone collisions come up again and again in injury claims. The label describes how the vehicles met, but it does not settle who was at fault. An auto accident lawyer reviewing these crashes usually begins with the sequence of events, from each car's speed to the signals that controlled traffic.

What causes rear-end collisions

Many state traffic codes prohibit following another vehicle more closely than is reasonable and prudent, taking into account the speed of traffic and the condition of the road. Distraction is a frequent factor. NHTSA notes that sending or reading a text takes a driver's eyes off the road for 5 seconds, which at 55 mph is like driving the length of a football field with eyes closed. A car crash lawyer may ask for the other driver's phone records when distraction is suspected.

In many rear-end crashes the trailing driver is found at fault, yet that result is not automatic. A car that cuts in and brakes suddenly, brake lights that do not work or a vehicle backing up can shift some or all of the fault. In a chain-reaction crash, every impact is its own event, and a middle car pushed into the car ahead may not be at fault for that second impact.

Whiplash and soft tissue injuries

Rear-end impacts are often linked to whiplash, a neck injury caused by a rapid back-and-forth movement of the head. Neck pain and headaches may not show up until hours after the crash, which is one reason prompt medical care matters. Insurers sometimes dispute injury claims from low-speed rear-end crashes, citing minor vehicle damage. Medical records and photos of both vehicles help answer that argument, along with imaging such as an MRI when a doctor orders one.

Why side-impact crashes happen

In a T-bone crash, the front of one vehicle strikes the side of another, most often at an intersection. Typical causes include failing to yield on a left turn and running a red light or a stop sign. The sides of a car have less room to absorb https://caraccidentlawyers.wiki/reference/claim-and-settlement/ crash forces than the front or rear, and the Insurance Institute for Highway Safety (IIHS) evaluates side protection in its own side-impact crash test. Occupants on the struck side can suffer serious injuries, including traumatic brain injury and pelvic fractures.

Disputes in these crashes often come down to who had the right of way. Useful evidence includes signal timing records, intersection camera video, nearby business surveillance footage, dashcam video and witness statements, as well as the event data recorder (EDR) in each car, which may hold speed and braking data from the seconds before the crash. A car accident lawyer will usually try to collect video quickly, since many systems overwrite footage within days or weeks.

Comparative negligence in these crashes

Fault is not always all or nothing. Most states use some version of comparative negligence, which reduces a recovery by the injured person's percentage of fault. In states with modified comparative negligence, a person whose fault reaches 50 or 51 percent, depending on the state, may be barred from recovery, while pure comparative negligence allows a reduced recovery at any percentage of fault. A small number of

jurisdictions still follow contributory negligence, which can bar recovery for any fault at all. A motor vehicle accident attorney will know which rule applies in the state where the crash happened.

A note on deadlines

Every state sets its own statute of limitations for injury claims, and claims involving a government vehicle or agency can require written notice much sooner. This article is general information, not legal advice, and no article can predict how a claim will turn out.