How Trucking Companies and Insurers Handle Truck Accident Claims

After a tractor-trailer crash, an injured person usually hears from an insurance company long before any court is involved. Trucking companies and their insurers often move quickly, and their early steps can shape the claim. Knowing what to expect is one reason people contact a truck accident lawyer before giving a statement or signing anything.

Federal insurance minimums for trucking companies

Minimum levels of financial responsibility are set by the Federal Motor Carrier Safety Administration (FMCSA) in 49 CFR Part 387. For-hire trucking companies operating vehicles with a gross vehicle weight rating of 10,001 pounds or more must carry at least $750,000 in public liability coverage when they haul nonhazardous property in interstate commerce. Certain hazardous materials require $1,000,000 or $5,000,000, depending on the cargo. Those amounts are minimums, and some trucking companies carry more coverage through excess or umbrella policies. An MCS-90 endorsement may also apply to certain claims, and a truck accident attorney will usually request every policy that could apply.

The company's first moves

Many trucking companies and insurers have procedures for sending investigators, adjusters or defense lawyers to a serious crash quickly. Their team may photograph the scene, download the engine control module (ECM), talk to witnesses and record vehicle damage. That work is lawful, but the information goes to the trucking company first. A semi-truck accident lawyer can send a preservation letter asking the company to keep the truck, the ECM and ELD data, camera footage and the driver's records.

What to expect from the insurance adjuster

The insurance adjuster may call soon after the crash to request a recorded statement. In many cases there is no obligation to give one to the other side's insurer, although a person's own policy may require cooperation with their own insurer. Statements given while hurting or medicated can be used later to dispute the claim. Adjusters may also ask for broad medical authorizations that reach records unrelated to the crash.

Quick settlement offers are another common practice. An offer may arrive before the full extent of an injury is known, and accepting it usually means signing a release that ends the claim. Insurers also tend to argue comparative negligence by pointing to the injured driver's speed or lane position. Some also dispute injuries by pointing to preexisting conditions or gaps in treatment.

Social media and surveillance

After a crash, insurers sometimes review public social media posts, looking for photos or comments that seem to conflict with a reported injury. In some claims they also hire investigators to film the injured person in public places. A single photo can be misread without context, and a short clip rarely shows what happened before or after it. Many people limit what they post while a claim ***truck injury law firm*** is open, and they keep their own notes on symptoms, missed work and medical visits.

What goes into the value of a truck claim

Damages in a truck injury claim can include medical expenses, lost wages, reduced earning capacity, property damage, and pain and suffering. In a wrongful death case, the available claims and who may bring them depend on state law. A commercial vehicle accident attorney usually gathers medical records and bills along with wage documents before sending a demand. Health plans, Medicare or Medicaid may hold liens or reimbursement claims that must be resolved from a settlement.

Fees and expectations

Many truck accident lawyers work on a contingency fee, which means the fee is a percentage of any recovery and is set out in a written agreement. No lawyer or article can promise a particular result, and this is general information rather than legal advice.