How Fault Works in Rear-End and T-Bone Car Crashes

Rear-end and T-bone collisions come up again and again in injury claims. The name of the crash describes how the vehicles met, but it does not decide who was at fault. A car accident attorney looking at either type of crash will usually start 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, with attention to the speed of traffic and the condition of the road. Distraction is a frequent factor. NHTSA explains 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 accident attorney may ask for the other driver's phone records when distraction is suspected.

The trailing driver is often found at fault in a rear-end crash, but that is not automatic. A vehicle that cuts in and stops short, brake lights that do not work or a vehicle backing up can shift some or all of the fault. In a multi-vehicle pileup, each impact is a separate event, and a middle vehicle pushed forward may not be responsible for the second impact.

Neck injuries after a rear-end crash

Rear-end impacts are often associated with whiplash, a neck injury caused by a rapid back-and-forth movement of the head. Symptoms such as neck pain and headaches may not appear until hours after the crash, which is one reason prompt medical care matters. Insurance companies sometimes challenge injury claims after low-speed rear-end crashes, citing minor vehicle damage. Photos of both cars and the medical records help respond to that argument, together with imaging such https://caraccidentlawyers.wiki/directory/metro-atlanta-law-firms/ as an MRI when a doctor orders it.

Why side-impact crashes happen

In a T-bone crash, the front of one vehicle strikes the side of another, usually at an intersection. Common causes include running a red light or a stop sign and failing to yield on a left turn. The sides of a car have less room to absorb 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.

These crashes often turn on 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 crash lawyer typically moves quickly to collect video, since many systems overwrite footage within days or weeks.

Comparative negligence in these crashes

Fault is often shared. Most states apply some form of comparative negligence, which lowers a recovery by the injured person's share of fault. Under modified comparative negligence, a person found at least 50 or 51 percent at fault, depending on the state, may recover nothing, while pure comparative negligence allows a

reduced recovery at any level of fault. A few jurisdictions still apply contributory negligence, which can bar recovery for any fault at all. A car accident attorney will know which rule applies in the state where the crash happened.

Deadlines and general information

Each 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 is general information and not legal advice, and no article can predict how a claim will turn out.