

With more big trucks on the road
than ever, it's no surprise that accidents are
on the rise. Because 18-wheelers are roughly
40 times the size of the average personal
automobile, these collisions can cause
life-changing or fatal injuries.

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Unfortunately, the truck
accident claims process isn't easy. Insurance
adjusters do their best to reduce or eliminate
victims' claims, especially if they aren't
represented by a lawyer. If you or someone
you love suffered serious injuries in a truck
wreck, it's critical that you understand
your legal options.



Here, we outline the common causes of big truck crashes, the tactics insurance companies use to deny victims the compensation they deserve, and strategies you can use to protect yourself and your loved ones.



ACCIDENT GUIDE



TRUCK ACCIDENTS ARE MORE COMMON THAN YOU MIGHT THINK

Trucks move a remarkable 196,933,369 tons of freight through Alabama each year, according to the Alabama Trucking Association. With over 9,000 trucking companies in the state and even more in the surrounding region, you're more likely to have an encounter with a big rig than you might think.

The Federal Motor Carrier Safety Administration (FMCSA) reports that the number of truck accidents increased by 20% over the past 20 years, with a 9% increase between 2016 and 2017 (the most recent data available).



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ommon Causes of Trucking Accidents in Alabama Many factors can contribute to a catastrophic truck accident. While state and federal laws try to keep everyone on the road safe, some drivers and trucking companies ignore these rules to maximize their profits.

COMMON FACTORS IN A TRUCKING ACCIDENT INCLUDE:

Driver Error // When you're operating a 40-ton vehicle, a single mistake or miscalculation can lead to tragic results. Unfortunately, driver and trucking company errors cause 87% of truck wrecks, according to the FMCSA. Driver errors can include misjudging a truck's stopping distance, speeding, failing to yield the right of way, and not keeping a proper lookout for hazards, other vehicles, bicyclists, and pedestrians.

Driver Fatigue and Illness //
Driver fatigue and illness are other
top reasons for truck crashes. While
there are strict rules about when a
driver can operate an 18-wheeler,
some drivers and companies ignore
these safety rules. According to the
FMCSA, 12% of all truck crashes oc-

cur because the driver fell asleep or was physically impaired due to an illness or other issues.

Even seemingly innocent over-thecounter medications, like cold medicine, can cause dizziness, blurred vision, and sleepiness that can impair a driver and cause an accident.

Distracted Driving // The FMC-SA estimates that distraction contributes to 28% of truck wrecks. Distracted driving can come in many forms: using a smartphone or onboard communication device, daydreaming, or eating while driving.

Drunk and Drugged Driving //
While most truck drivers stay sober,
a small population of drivers drives

while intoxicated or impaired. In addition to economic and non-economic damages, a victim of a drunk driver may also be entitled to punitive damages, which punish someone for intentional or highly reckless conduct.

Improper Vehicle Maintenance and Loading // Trucking companies have tight profit margins, and some owners decide to cut corners to save money. It's not uncommon for our lawyers to uncover missed inspections and ignored maintenance needs. Unfortunately, a worndown tire tread, old brake pads, or a non-functioning turn signal can cause a crash.

Even something as seemingly simple as loading cargo can cause trouble, as incorrectly distributed weight can affect a truck's ability to safely navigate the roads.

Parts // Equipment failure and defective parts are common causes of trucking accidents. Unfortunately, it can be difficult to ascertain the true cause of a trucking accident when truck part defects are to blame. A skilled personal injury lawyer with experience litigating semi-truck accidents is critical to ensuring a thorough investigation.

Poor Weather and Road Conditions // Inclement weather can

be disastrous for truckers. Poor visibility and water or ice on the road impair a driver's ability to navigate safely. If a driver is driving too fast, distracted, or makes a quick maneuver, the truck may hydroplane, jack-knife, or skid into another vehicle or a highway barrier.

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When you file an insurance claim, you may feel pressured to settle or that you're getting the run-around.

HERE ARE FIVE COMMON TACTICS INSURANCE ADJUSTERS USE TO REDUCE YOUR SETTLEMENT—AND WHAT YOU SHOULD DO TO FIGHT BACK.

Tactic #1: Offering Non-Apologies and Quick Settlement Offers

After a crash, the adjuster may tell you they are "sorry you got hurt," and offer you a settlement right away. Don't be fooled. Even their kind demeanor is a tactic. According to one study, when accident victims got even a modest apology, 91% settled their claims.

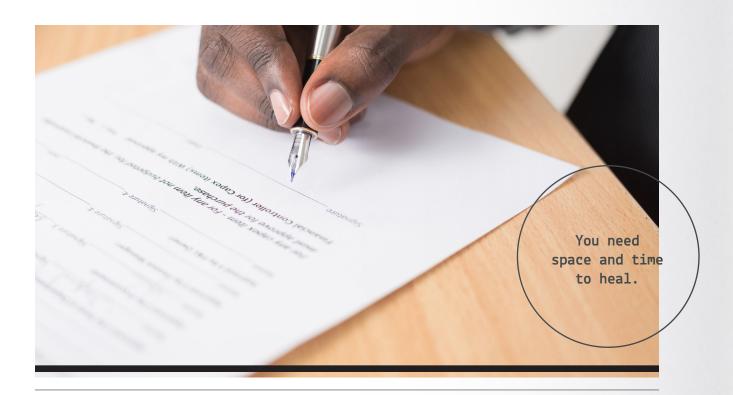
The insurance adjuster is hoping that you'll appreciate their kindness and accept a low settlement offer. Many people fall for this tactic, and we understand why. They are under a tremendous amount of stress, have to repair or replace their vehicle, pay their medical expenses, and start to rebuild their life.

While a low settlement can make a short-term impact, it may harm you in the long run. The insurance company's initial offer most likely does not take into account your full range of damages, and you should never agree to a settlement before you consult with a lawyer.

Tactic #2: Discouraging Victims From Consulting a Lawyer

Has an insurance adjuster told you that it will be easier and cheaper to resolve your claim without involving an attorney? Or that you can't settle your case with a lawyer on retainer? Both of these claims are false.

In reality, the adjuster doesn't want you to seek legal counsel because victims with a lawyer are more educated and able to make informed decisions. Unlike an adjuster, your lawyer is on your side and can help you through the challenging claims process, combat the insurance adjuster's tactics, and help you understand your claim's real value.

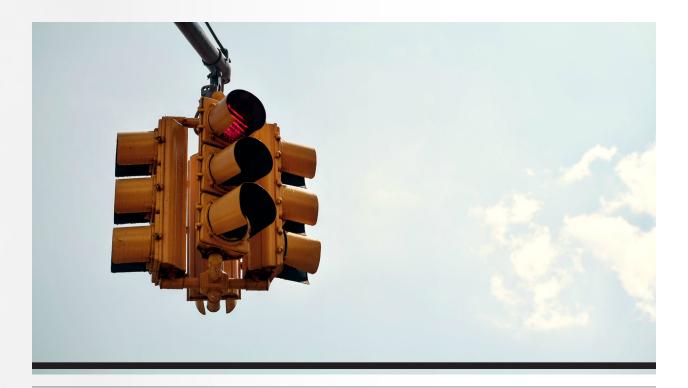


Tactic #3: Pressuring Victims to Make a Statement Before They Retain Counsel

While victims will need to make statements on the record at some point in the claims process, you should never talk to an insurance adjuster before you hire an accident lawyer.

When emotions are high after a crash, it's easy to miss critical facts or make vague statements that can be used against you later on. And some insurance adjusters will ask you leading, unfair, or repetitive questions, trying to trip you up.

When you have a lawyer, they will help you prepare for your interview and guide you through the entire process. The insurance company also cannot contact you directly once you hire a lawyer. Instead, they must run all communication through your legal team, giving you space and time to heal.



Tactic #4: Destroying Evidence

The trucking industry is federally regulated, and companies must keep logbooks, maintenance records, and other information for a specific time period. However, once this period expires, they can destroy these important records unless a lawsuit is likely. This means that critical sources of evidence like logbooks and telemetric data, and poorly maintained parts can be legally destroyed if you don't act quickly.

What companies don't anticipate is the power of a victim that's done their research. Trucking and insurance companies are legally obligated to preserve evidence if litigation seems likely; immediately hiring an attorney introduces the possibility of a lawsuit, and your attorney will know how to secure information that's critical to your case, information that the trucking company would probably rather see destroyed.

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Tactic #5: Sending Victims to "Independent" Medical Exams

It's not uncommon for an insurance company to order independent medical examinations for victims, also known as IMEs. If the adjuster schedules an IME, you should attend the appointment. However, an IME is not a typical doctor's visit. Insurance companies usually send crash victims to a doctor whose only job is to examine victims after a crash. These examinations are an opportunity for the insurance company to dispute and discredit your claims.

IME doctors frequently find that accident victims are not injured, that the crash did not cause their injuries, or that they're overstating their suffering. For this reason, it's vital to go into an IME with the right mindset.

A personal injury lawyer can help you prepare for your exam. A few other tips for navigating an IME include:

- Bring a witness along who can take notes and testify about the exam process.
- Ask for copies of anything you sign and any examination records.
- Take careful notes about what happened during the exam, including start and finish times, what tests were ran, and anything the doctor or facility staff told you.

- Be honest in your exam; don't exaggerate or underrepresent your pain as any attempts to manipulate the truth will be used against you.
- Consult with your personal injury lawyer before giving the IME doctor copies of your

Additionally, at the facility, every move you make is noted. If you walk in with a limp and leave walking without one, someone will notice. This information will be added to your file, and any discrepancies will be used to discredit your testimony and devalue your claim.

How to Protect Yourself After a Truck Crash

The period after a car crash can be a vulnerable time for you and your family. The pain of your injuries, emotional stress, and financial pressures can feel overwhelming. The last thing you need to deal with is the insurance adjuster's pressure to settle and the challenge of representing yourself.

Fortunately, there are ways to protect yourself after a crash with a semi-truck. One of the most important things you can do is assemble a team of people you can trust — friends who can help cook you dinner or take care of the house, doctors who can identify and treat your injuries, and a personal injury attorney who can support you in the fight for justice.

Right After the Truck Crash

- Call 911: If you can, call the authorities after an accident; don't assume someone else will call for you. When the police and medics arrive, cooperate with their investigation.
- Seek Medical Care: Even if you think your injuries are minor, it's in your best interest to demand medical care after a crash with a big truck. Documentation after any crash is critical, and even more so in trucking cases. An insurance adjuster may try to deny or devalue your claim if you didn't seek medical attention right away because not going to the doctor implies that your injuries weren't "that bad."
- Take Photos: If you can, take your own photos of the crash, including the vehicles, your injuries, and skid marks. These images can help document the crash scene and may help accident reconstruction experts identify the cause of the crash.
- Get Contact Information: If you are able, get names and the other drivers' and witnesses' contact information. Having the ability to contact witnesses is invaluable, and is a tremendous resource for your lawyer during the investigation.



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t Andy Citrin Injury Attorneys, we understand how hard it is to put your life back together after a traumatic accident. That's why we've devoted our careers to helping people like you recover and get the justice they deserve. We aren't intimidated by the trucking companies or insurance adjusters and know how to investigate even the most complex crashes efficiently.

If you or someone you love has been harmed by a trucker's negligence and are suffering from life-changing injuries, you need a lawyer on your side. We fight hard for our clients and are proud to be one of Alabama's most respected personal injury law firms.

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to get a free case assessment from an experienced attorney.

