

Who is Liable in a Truck Accident?

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April 25, 2022

Any automobile accident can cause serious injuries and even fatalities. But those involving trucks are particularly catastrophic. The size, weight, and speed of trucks can result in a lifetime of suffering for the survivors. If you or someone you love has been involved in a truck accident, you may be facing medical bills, significant lost income, and other damages. Who is liable in a truck accident? Rosen Hagood's personal injury team offers some advice.

The basics of truck accident liability

Holding someone responsible after a truck accident starts with a negligence claim, either through the at-fault party's insurance company or through litigation (or possibly both). Multiple parties can be held liable, depending on the circumstances of the accident. To understand why, consider a few of the most common causes of these collisions:

- Drunk driving
- Driver fatigue
- Distracted driving (e.g., texting while driving)
- Lack of experience or training to handle the truck
- Unsecured load on the truck that falls off during driving
- Hazardous materials that spill during accidents
- Too much weight on the truck
- Poor road conditions
- Inclement weather
- Tire blowout
- Defective truck parts

Who is Liable in a Truck Accident?

All of the following are parties who may be held accountable for the above causes:

Truck drivers.

State law and federal regulations, including those enforced by the Federal Motor Carrier Safety Administration, govern truck driver behavior. Some of these rules control how much time a driver can spend on the road before needing to sleep.

Trucking companies.

The company that hired the truck driver can be held liable for failing to train or supervise. If the truck driver is negligent, his or her actions can be imputed to the company and, therefore, render the business liable.

Truck and truck part manufacturers.

All manufacturers, including those of trucks and truck parts, have a responsibility to ensure their products are reasonably safe. When defective parts cause accidents, these companies may be responsible for them.

Maintenance and repair shops.

Trucks are routinely maintained and repaired due to the significant wear and tear they experience. Maintenance and repair shops have a responsibility to ensure the work they perform on trucks does not endanger the public.

State and local governments.

When poor road conditions, such as potholes or poor line markings, cause truck accidents, state and local governmental entities may be to blame. Suing the government is more complicated than suing a private party, however, so be sure to consult a knowledgeable attorney.

Motorists.

Other drivers may have caused the accident by speeding or cutting off the truck driver. Often, there are multiple parties at fault for a truck accident. For example, both the truck manufacturer and the trucking company could be responsible.

South Carolina Truck Accident Lawyer

Sorting out liability takes intense accident investigation and knowledge of civil procedure, discovery, and evidence rules. Expert witnesses are often called upon to reconstruct the accident or explain the extent of the victim's damages. Negotiations with insurance companies require time, patience, and an understanding of the nature of truck accidents. Having a South Carolina personal injury attorney is critical for these and other aspects of an injury claim. The experienced truck accident lawyers of Rosen Hagood not only understand South Carolina personal injury laws, but they know how to build a compelling case. We advocate for the rights of the injured in seeking the maximum compensation available under law. Were you hurt in a truck accident?

Reach out to us today.