

“The Need to Move Fast After a Trucking Accident”

by Thomas T. Dunbar, Esq.

Trucking companies and their liability insurers’ attorneys and accident reconstructionists are prepared to investigate and gather evidence immediately after accidents. Local retained counsel are called no matter the time of day to meet the truck driver at the collision site to assist both the driver and the driver’s interview by law enforcement and to measure skid marks and photograph the accident scene.

Reports state that one in eight traffic deaths involve eighteen-wheelers, semi-trucks, or other large trucks. Because the speeds and damages are often severe, insurers employ retained counsel before collisions occur. It is very important that an injured person investigate as soon as possible before evidence fades, is lost or is pushed aside on a busy roadway.

The Federal Motor Safety Administration has tracked truck accidents and their causes. The agency identified both what it calls critical events and critical reasons that contribute to wrecks. Critical events are actions that may set up the opportunity for a crash to occur. Critical reasons are things that occur immediately before a crash that directly contribute to it.

There are three identified categories of critical reasons for large truck crashes. These are: a) the environment/weather/road conditions b) the vehicle (example: faulty brakes or mechanical failures) and c) the driver. Critical reasons involving the driver may involve many things including a driver falling asleep, suffering a medical condition or event, failing to properly control and/or maneuver the truck. Driver distraction is considered a recognition error while decision factors include speeding, tailgating or other actions are choices of the driver.

Truck drivers are highly compensated professionals who have a duty to protect others on the roadways. Thankfully, the Federal Motor Safety Administration requires minimum liability insurance amounts to compensate injured travelers. Talking to an experienced lawyer as soon as possible after an accident is important, so evidence can be obtained before it is lost.

Investigations can reveal the truck driver or his employer were negligent in many ways including:

- 1) was the driver unaware of other vehicles due to the tractor-trailer’s “blind spots”;
- 2) was the driver properly trained and licensed;
- 3) did the driver exceed lawful driving time period without properly resting (his Logged time can be compared to the truck’s tracking data to be certain);
- 4) was the tractor-trailer rig overloaded such that the proper weight existed compared to its braking ability;

5) did a Quality Control issue contribute to cause the collision? If so, the manufacturer of the truck or its components can be at fault or a repairman if not properly maintained or repaired.

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Mr. Dunbar has practiced serious personal injury law for more than 31 years and is glad to discuss your situation.