Insurance Tactics After a Truck Accident

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 tend to act quickly, and the steps they take early can shape the claim. Understanding these practices is one reason people talk with a truck accident attorney before giving statements or signing documents.

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 material. Those amounts are minimums, and some trucking companies carry more through excess or umbrella policies. truck collision lawyers An MCS-90 endorsement may also apply to certain claims, so a truck crash attorney usually asks for every policy that could apply.

The company's first moves

Many trucking companies and their insurers are prepared to send investigators, adjusters or defense counsel to a serious crash quickly. They may photograph the scene, download the engine control module (ECM), interview witnesses and document the damage. That work is lawful, but the information they collect goes to the trucking company first. A truck accident lawyer may send a preservation letter requesting that the company keep the truck, the ECM and ELD data, camera footage and the driver's records.

Practices an injured person may see

An insurance adjuster may call soon after the crash and ask for 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 request broad medical authorizations that open records unrelated to the crash.

Quick settlement offers are another common practice. An offer can come 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 *truck accident lawyers* conditions or gaps in treatment.

Surveillance and social media

Insurers sometimes review public social media posts after a crash, searching for photos or comments that appear to conflict with a claimed injury. Some also hire investigators to record video of the injured person in public. 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 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 truck accident attorney usually gathers medical records and bills along with wage documents before sending a demand. Health insurers, Medicare or Medicaid may have liens or reimbursement rights that have to be resolved from a settlement.

A note on fees and outcomes

Many truck accident attorneys 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.