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

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 settle who was at fault. An auto accident lawyer reviewing these crashes usually begins with the sequence of events, from each car's speed to the signals that controlled traffic.

How rear-end collisions happen

Many state traffic codes prohibit following another vehicle more closely than is reasonable and prudent, taking into account the speed of traffic and the condition of the road. Distraction is a frequent factor. NHTSA notes 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 crash lawyer will sometimes request the other driver's phone records if 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 fail or a vehicle backing up may shift part or all of the fault. In a chain-reaction crash, every impact is its own event, and a middle vehicle pushed forward may not be responsible for the second impact.

Whiplash and soft tissue injuries

Rear-end impacts are often associated with whiplash, a neck injury caused by the head snapping back and forth. Symptoms such as neck pain and headaches may not appear until hours after the crash, which is one reason prompt medical care matters. Insurers sometimes dispute injury claims from 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 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. People seated on the struck side can suffer serious injuries such as traumatic brain injury or 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 will usually try to collect video quickly, because many systems record over old footage ***average car accident settlement*** within days or weeks.

Shared fault and comparative negligence

Fault is not always all or nothing. Most states apply some form of comparative negligence, which reduces a recovery by the injured person's percentage 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 percentage of fault. A few jurisdictions still apply

contributory negligence, which can bar recovery for even slight fault. An automobile accident lawyer will know which rule applies in the state where the crash happened.

Deadlines and general information

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