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

Rear-end and T-bone collisions come up again and again in injury claims. The label describes how the vehicles met, but it does not decide who was at fault. A car accident lawyer reviewing one of 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, with attention to the speed of traffic and the condition of the road. Distraction is a frequent factor. NHTSA explains 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 accident attorney will sometimes request the other driver's phone records if distraction is suspected.

In many rear-end crashes the trailing driver is found at fault, but that is not automatic. A car that cuts in and brakes suddenly, brake lights that do not work or a vehicle backing up can shift some or all of the fault. In a multi-vehicle pileup, each impact is a separate event, and a middle car pushed into the car ahead may not be at fault caraccidentlawyers.wiki for that second impact.

Whiplash and soft tissue injuries

Rear-end impacts are often linked to whiplash, a neck injury caused by a rapid back-and-forth movement of the head. Symptoms such as neck pain and headaches may not appear until hours after the crash, which is one reason prompt medical care matters. Insurance companies sometimes challenge injury claims after low-speed rear-end crashes, pointing to light vehicle damage. Medical records and photos of both vehicles help answer that argument, along with imaging such as an MRI when a doctor orders one.

How T-bone collisions happen

A T-bone collision happens when 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. A car's sides have less space to absorb crash forces than its front or rear, which is why the Insurance Institute for Highway Safety (IIHS) rates side protection in a separate side-impact crash test. Occupants on the struck side can suffer serious injuries, including traumatic brain injury and pelvic fractures.

These crashes often turn on who had the right of way. Evidence can include 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. An auto accident attorney will usually try to collect video quickly, since many systems overwrite footage within days or weeks.

Comparative negligence in these crashes

Fault is not always all or nothing. Most states apply some form of comparative negligence, which lowers a recovery by the injured person's share 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 small number of jurisdictions still follow

contributory negligence, which can bar recovery for any fault at all. A motor vehicle accident attorney 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 it cannot predict the outcome of any claim.