What to Expect From the Insurance Adjuster After an 18-Wheeler Crash

After a tractor-trailer crash, the injured person usually deals with an insurance company long before any courtroom. Trucking companies and their insurers often move quickly, and their early steps 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

The Federal Motor Carrier Safety Administration (FMCSA) sets minimum levels of financial responsibility in 49 CFR Part 387. A for-hire trucking company operating vehicles with a gross vehicle weight rating https://atlantatruckaccidentlawyers.wiki/checking-a-firms-truck-practice/ of 10,001 pounds or more needs at least $750,000 in public liability coverage to haul nonhazardous property in interstate commerce. Certain hazardous materials require $1,000,000 or $5,000,000 depending on the material. These are floors, not caps, and some trucking companies carry more coverage through excess or umbrella policies. An MCS-90 endorsement may also apply to certain claims, so a truck crash attorney usually asks for every policy that could apply.

Rapid response after a crash

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

Common insurance practices to understand

The insurance adjuster may call soon after the crash to request 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. Comments made while in pain or on medication can later be used to dispute the claim. Adjusters may also ask for broad medical authorizations that reach records unrelated to the crash.

Early settlement offers are another common practice. An offer can come before the full extent of an injury is known, and accepting it generally means signing a release that ends the claim. Insurers often argue comparative negligence, pointing to the injured driver's speed or lane position to lower the payment. They may also dispute injuries by citing preexisting conditions or gaps in medical treatment.

Surveillance and social media

After a crash, insurers sometimes review public social media posts, looking for photos or comments that seem to conflict with a reported injury. In some claims they also hire investigators to film the injured person in public places. One image can be taken out of 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

A truck injury claim can include damages for 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 commercial vehicle accident attorney usually gathers medical records and bills along with wage documents before sending a demand. Health plans, Medicare or Medicaid may hold liens or reimbursement claims that must be resolved from a settlement.

A note on fees and outcomes

Many truck accident attorneys work on a contingency fee, meaning the fee is a percentage of any recovery and is spelled out in a written agreement. No lawyer or article can promise a particular result, and this page is general information, not legal advice.