What to Expect From the Insurance Adjuster After a Truck Accident

After a tractor-trailer crash, the injured person usually deals with an insurance company long before any courtroom. Trucking companies and their insurers tend to act quickly, and the steps they take early can shape the claim. Knowing these practices is one reason people consult an 18-wheeler accident lawyer before giving a statement or signing anything.

How much insurance a trucking company must carry

Minimum levels of financial responsibility are set by the Federal Motor Carrier Safety Administration (FMCSA) in 49 CFR Part 387. A for-hire trucking company operating vehicles with a gross vehicle weight rating 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. Those amounts are minimums, and some trucking companies carry more through excess or umbrella policies. An MCS-90 endorsement may also apply to certain claims, and a truck accident attorney will usually request every policy that could apply.

Early investigation by the trucking company

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 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.

Practices an injured person may see

The insurance adjuster may call soon after the crash to request a recorded statement. There is usually no obligation to give one to the other driver's insurer, though a person's own policy may require cooperation with that insurer. Comments made while in pain truck wreck lawyer Atlanta or on medication can later be used 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 conditions or gaps in treatment.

Social media and surveillance

After a crash, insurers sometimes review public social media posts, looking atlanta truck accident lawyer for photos or comments that seem to conflict with a reported injury. Some also hire investigators to record video of the injured person in public. 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.

How the claim is valued

Damages in a truck injury claim can include medical expenses, lost wages, reduced earning capacity, property damage, and pain and suffering. In wrongful death cases, state law decides what claims exist and who may bring them. 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 lawyers 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 page is general information, not legal advice.