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

Rear-end crashes and T-bone collisions are two crash types that come up often 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 will usually start with the sequence of events, from the speed of each car to the signals that controlled the intersection.

What causes rear-end collisions

Many state traffic laws bar drivers from following another vehicle more closely than is reasonable and prudent, with attention to the speed of traffic and the condition of the road. Distracted driving is a common 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. An auto accident attorney may ask for the other driver's phone records when distraction is suspected.

In many rear-end crashes the trailing driver is found at fault, but that is not automatic. A vehicle that cuts in and stops short, 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 vehicle pushed forward may not be responsible for the second impact.

Neck injuries after a rear-end crash

Rear-end impacts are often linked to whiplash, a neck injury caused by the head snapping back and forth. Neck pain and headaches may not show up 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. 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

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 https://caraccidentlawyers.wiki/directory/metro-atlanta-law-firms/ test. Occupants on the struck side can suffer serious injuries, including traumatic brain injury and pelvic fractures.

Disputes in these crashes often come down to who had the right of way. Evidence can include signal timing records, intersection camera video, nearby business surveillance footage, dashcam video and witness statements, plus the event data recorder (EDR) in each car, which may store speed and braking data from the seconds before impact. A car accident lawyer typically moves quickly to collect video, because many systems record over old footage 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. In states with modified comparative negligence, a person whose fault reaches 50 or 51 percent, depending on the state, may be barred from recovery, while

pure comparative negligence allows a reduced recovery at any level of fault. A small number of jurisdictions still follow contributory negligence, which can bar recovery for even slight fault. *car accident lawyer* A car accident attorney can explain which rule applies where the crash happened.

Deadlines and general information

Every state sets its own statute of limitations for injury claims, and claims against a government agency can require written notice much sooner. This article is general information, not legal advice, and it cannot predict the outcome of any claim.