Insurance Tactics After a Tractor-Trailer 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 the steps they take early can shape the claim. Knowing these practices is one reason people consult an 18-wheeler accident lawyer 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. For-hire trucking companies operating vehicles with a gross vehicle weight rating of 10,001 pounds or more must carry at least $750,000 in public liability coverage when they 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 through excess or umbrella policies. The MCS-90 endorsement may also come into play in certain claims, so a truck crash attorney usually asks for every policy that could apply.

Early investigation by the trucking company

Many trucking companies and insurers have procedures for sending investigators, adjusters or defense lawyers 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

An insurance adjuster may call soon after the crash and ask for 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. Statements given while hurting or medicated can be used later to dispute the claim. Adjusters may also ask for broad medical authorizations **truck accident attorneys** that reach records unrelated to the crash.

Early settlement offers are another common practice. An offer may arrive 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. Some also dispute injuries by pointing to preexisting conditions or gaps in 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 brief clip seldom shows what came 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

A truck injury claim can include damages for 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 tractor-trailer accident lawyer usually gathers medical records and bills along with wage documents before sending a demand. Health insurers, Medicare or Medicaid may have liens or reimbursement rights that have to be resolved from a settlement.

A note on fees and outcomes

Many truck accident attorneys 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 is general information rather than legal advice.