

A blurred, grayscale background image showing a truck accident scene. A large truck is visible in the center, with its front end and side mirrors. The scene is out of focus, suggesting motion or a wide-angle shot. The text is overlaid on this background.

HOUSTON TRUCK ACCIDENT GUIDE

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Being involved in a truck accident can be catastrophic. The monster size of these vehicles alone can make these collisions devastating. The injuries you sustain after these crashes can be debilitating or even fatal. If your life is being negatively affected by a truck accident, you deserve compensation for your injuries.

Here at Longoria Law, we know how to protect you from the insurance companies and get you the compensation that is fair and just in accordance to the severity of your injuries. We provide strong and dedicated legal representation to the people of Houston. We won't settle for low settlement offers from the insurance companies and neither should you.

COMMERCIAL VEHICLE INJURIES

They may be called semis, tractor-trailers, commuter shuttles, big rigs, 18-wheelers, or simply trucks. They may carry livestock, frozen produce, other cars, grain, or gasoline. Regardless of their size, shape, and purpose, commercial vehicles and the services that they provide help residents of Greater Houston fuel their cars, use the online marketplace, and put food on their dinner tables. Because of the vital role that commercial vehicles play in Texas's economy, sustaining an injury in a collision with a truck can have different legal repercussions than being involved in a car accident would entail. After all, commercial vehicles are owned by businesses and organizations, and this means that a company rather than a private citizen could be at fault in the event of an accident.

COMMONS CAUSES OF ACCIDENTS INVOLVING TRUCKS

Though the carrying capacity of commercial trucks makes them one of the most efficient ways to ship large quantities of goods across great distances, the size of a truck can be a blessing and a curse. Trucks can range from simple U-hauls to eighteen-wheel behemoths, but what they all have in common is that they tend to be much bigger than the average car. This means that when a car and a truck share a road, the driver and passengers in the car face an elevated risk of collision.



Because the size of any given truck's cargo can prevent a driver from seeing through the rear windshield, truck drivers must rely only on their side mirrors in order to keep track of traffic behind them. Smaller cars can easily disappear into the truck drivers' blind spots, making a collision likely when truck drivers try to change lanes without thoroughly checking if the adjacent lanes are clear. The size of a truck makes coming to a sudden stop is far more difficult than it is for cars, and some trailers may inherently have a higher risk of rollover. When a truck collides with another car, skids uncontrollably, or turns over, the larger, heavier truck may be able to continue on its route unscathed, almost as if nothing had happened, while a car may lose a mirror, a door, or even half its frame.

Distracted driving remains a widespread and serious problem in the state of Texas, as even a split-second lapse in attention can have fatal consequences. The Texas Department of Transportation reports that as many as 20 percent of all crashes (private and commercial vehicle alike) are caused by driver distractions. In 2017, Texas's state legislature adopted a new law to prevent this unfortunate trend. Sending and reading emails and/or text messages while driving are now illegal practices within state borders. This law, however, has

a loophole: it does not necessarily count cell phone use for other purposes, such as checking a map or playing music, as illegal. Accepting a phone call while driving, though a risky decision, is still legal as long as it is through a hands-free device. Though several dozen cities throughout Texas, including population hubs such as Austin and Galveston, have passed local ordinances that prohibit all cell phone usage for drivers, Houston has not followed suit. This means that while truck drivers in the Houston area may not text while behind the wheel, their mobile devices still provide a wealth of other possible distractions that can lead to crashes.

TRUCK ACCIDENT STATISTICS

Truck drivers receive extensive training in order to do their jobs and maintain road safety, but accidents still happen. The United States is home to about half a million truck-related collisions and accidents every year, and though the fatality rate in truck accidents is low, one out of every 100 of these incidents results in death. In the Houston metro area and Texas as a whole, these statistics are no less dire. Over 15,000 commercial truck accidents occur each year in Texas, and of these, over 2,000 results in injury, and almost 300 ends in death. Because 98 percent of fatalities in truck accidents affect the passengers or the drivers in the cars involved in the accidents, all drivers should take extra precaution when they find themselves sharing the road with a vehicle of a different size.



TRUCK ACCIDENT FAULT

Though truck drivers must strive to carefully maneuver around other vehicles, car drivers who are not familiar with the ins and outs of trucks can easily make unwise choices that threaten road safety. If a car passes too quickly or suddenly

changes lanes in front of a truck, the truck driver may be unable to control her or his vehicle, leading to a collision. Driving directly behind or next to a truck, essentially hiding in the truck driver's blind spots, can be a recipe for disaster. Trucks can collide with stalled cars that have not fully been moved onto the shoulder. In inclement weather, whether wind or rain, the risk of a truck-related accident is even greater. If you worry that you may have contributed to a truck accident, or that you are responsible outright for such a collision, you should contact a truck accident attorney as soon as possible.

Many of our law firm's clients ask us if commercial vehicle accidents require an alternative legal approach than car crashes do, and we understand how the differences in the vehicles may create this impression. The truth is that, though commercial vehicle collisions are subject to an extent to different laws, the basis of all of these accidents is the same: due to road conditions, poor judgment, or another factor entirely, two or more vehicles have collided, and all drivers and passengers involved in the incident should seek prompt medical attention as well as legal representation from a personal injury attorney.

Having a truck accident attorney by your side is an asset even if you did not cause the accident and walked away without a single injury. Your insurance company may be unable to completely reimburse you for the damage to your car, and the business responsible for the truck can refuse to pay its share. If you were injured and were not at fault, receiving compensation from the trucking company may cover your medical bills. If you were partially or completely at fault for the accident, you will need the advice of an attorney to argue your defense in court. Please contact Houston truck accident lawyer Hector Longoria if you have any questions, and we will help you to achieve the result you want in your case.

FREQUENTLY ASKED TRUCK ACCIDENT QUESTIONS

When Should I See a Truck Accident Attorney?

Eighteen-wheeler crashes can be very devastating, considering the fact that these trucks can carry up to 80,000 pounds. After a truck accident, I tell clients that they need to get a lawyer immediately. Insurance companies and the truck companies are already on the scene, trying to do all things necessary to protect their interest. I tell clients they need somebody to protect their interests, preserve that evidence, and make sure that they don't provide information that's unnecessary to the insurance company or the trucking company. Go get a lawyer as fast as possible.

What Steps Should I Take Following a Truck Accident?

When I speak with clients, I am looking for evidence that hopefully they have gathered. The steps of gathering evidence include gathering evidence from the scene through photographs, getting eyewitness information, obtaining information from the vehicle's black boxes or the 18-wheeler's black boxes. It is important that we do those necessary steps to preserve the evidence that is available to us right then and there. If the case goes in front of a judge and jury, we need to have that evidence available to us to show the jury just what happened.



Should I Be Speaking to the Truck's Insurance Company?

At times, I have clients that come in and they have already been speaking to the truck's insurance company or the trucking company's insurance companies. It scares me because the information they are providing is not going

to be used to help them. Typically, the trucking companies or the insurance companies are trying to gather information to use against the client, whether it be in terms of the liability of how the crash occurred, or with regard to the damages by saying they weren't hurt after the crash. You should never, ever talk to the trucking company or insurance companies for the trucking companies. Go get a lawyer to help you with them. They're professionals at what they do, and you need a professional to help you protect your rights.



What Should I Know About a Commercial Vehicle Injury?

The first thing that they hopefully already did is sought the proper medical care and treatment. Next thing they should do is come hire a lawyer. It's important because the evidence that is on an 18-wheeler, often found at the site of a crash, is very important to preserve. Eighteen-wheelers

have black boxes which need to be preserved. Cars involved in crashes with 18-wheelers a lot of times also have data on black boxes. It's important to hire a lawyer who can help download, obtain, and preserve that information as evidence. This is so important because later when, and if necessary, you have to file a lawsuit to go prove your damages and injuries, that information and evidence is going to be important is going to be there to help us out.

Who Are the Suable Parties in a Truck Accident?

We typically sue the defendant driver for violating the driving safety rules, but we also sue the trucking company that employed him and gave him the truck that should have been maintained properly. That is because they should have done a background check on him before they gave him the truck. The trucking company is always responsible for the negligent acts of their drivers. Those are just two of potentially many more people that we can sue involved with the trucking company who can be held accountable and responsible for the negligent acts that caused the crash.

Do I Have a Wrongful Death Truck Accident Claim?

The majority of deaths involving truck crashes with vehicles occur to the occupants of the smaller vehicles. 18-wheelers are 20 - 30 times heavier than the vehicles they crash into. Unfortunately, they leave behind widows; they leave behind children without parents. It's important to know their rights, to protect those rights against the 18-wheelers and the trucking companies for the death they sustained. Again, it's important that you have legal counsel who can help you understand what those damages are, to go through and fight against the trucking company.

What Truck Accident Compensation is Available to Me?

Before we start a lawsuit, we sit down with our clients and talk to them about the damages we can seek against the truck driver and company for the damages they caused. Each case is different and special. Some people will have lost wages. Other people will have what's called loss of consortium because the injuries they suffered are so severe that it actually hurts their spouse. We have the mental anguish involved with having to deal with all the injuries that one suffers. We have the physical impairments, limitations caused by the injuries. There are a lot of damages that we have to access to make sure that we can bring it before the judge and jury if necessary and go seek the truck accident compensation.

What Are the Differences Between Truck and Car Accident Claims?

One of the most important things is to consider an 18-wheeler can carry up to 80,000 pounds on the road, driving at speeds of up to 70 miles an hour. The injuries and damages that they can cause, compared to another vehicle going at the same rate, are often catastrophic. They are governed by the Federal

Motor Carrier Safety regulations therefore are held to a higher standard. Because of that, when these crashes typically occur, and the 18-wheeler is responsible for that crash, we often find violations of federal rules and regulations, including the standard driving safety rules that we all must follow. It's important that we go get the evidence to show that.

How Does a Truck Accident Trial Work?

We always prepare to go to trial. We gather the evidence need for a truck accident trial. If necessary, we will try the case in front of the judge and a jury, to go seek those damages that were caused by the negligence of the truck driver and the trucking company.

Are There Time Limits to File a Truck Accident Claim?

Texas has a two-year statute of limitations, meaning you have up to two years from the date of the crash to bring a claim. However, that's too late if you've been dealing with an insurance company. The insurance company is not doing the things necessary to properly adjust the damages and injuries to the client. You want to get the case on file as fast as possible, so you can also start preserving and getting the evidence necessary to prove the case.

WHY CHOOSE LONGORIA LAW FIRM?

Free Initial Consultation

When you're injured in an accident, you often feel the financial impact immediately. Choosing the right attorney shouldn't add to that distress. We offer free consultations for all clients so you can get the answers you need without worrying about taking on another financial burden.

No Recovery, No Fee

At the Longoria Law Firm, we handle all personal injury cases on a contingency basis. This means that it will not cost you any money up front to retain us and have us represent you. Furthermore, you don't pay any fees unless we recover money for you.

Over \$200 Million Recovered

With over 20 years of experience, Houston injury lawyer Hector Longoria has obtained Court judgments and settlements for his clients in excess of \$200 million. Don't put your future in the hands of an amateur. Contact us today and let our experience work for you.



ABOUT THE AUTHOR:

Attorney Hector Garcia Longoria was born in Galveston Texas, the youngest of five sons, to Matias and Edelmira Longoria. His mother was a school teacher in Cerralvo, Mexico and his father a police officer in Monterrey, Mexico. Shortly after marrying in 1951, his parents made the decision to come to the United States to build a better life for their family. In the United States, Hector's parents worked on farms in California and Florida before moving to Galveston, where Hector's father worked as a longshoreman.

Hector's parents were determined to see their children succeed; taught him the value of hard work; and the importance of family and respect. Hector graduated from Galveston Ball High School in 1987. Hector then attended Texas A&M University on a scholarship. In May 1992, Hector graduated from Texas A&M University with a Bachelor of Arts degree in Economics and minors in History and Finance.

With guidance from his parents, Hector then attended law school at the University of Texas beginning in August 1992. During the summer semester in 1993, Hector attended the University of Houston-Mexican Legal Studies in Mexico City, Mexico. In Mexico City, Hector had an opportunity to work as a law clerk for Rich Heather y Mueller S.C. During law school, Hector was also on the Board of Advocates, a member of the National Latino Moot Court Team, a finalist in the Vial Hamilton Endowed Mock Trial, a quarterfinalist in the Susman Godfrey Endowed Moot Court and operations manager for the Hispanic Law Journal. In May 1995, Hector graduated with a Doctor of Jurisprudence from the University of Texas in. Hector became a member of the Texas Bar in November 1995 and has been a practicing attorney in Houston ever since.

As a lawyer, Hector works hard fighting for his client's rights. Hector devotes his practice to representing clients who have been victims of automobile, trucking, industrial, and work-related accidents that result in severe injuries to the client and client's family members. Hector understands the importance of being prepared in front the judge and the jury.

In addition to being admitted to practice in Texas state Courts, Hector is also admitted to practice in the Eastern, Southern and Northern United States District Court of Texas and the United States Court of Appeals for the Fifth Circuit. Hector has also worked on cases in California, Louisiana, New Mexico, Illinois, Pennsylvania, and New York. Please call Hector if you have any questions regarding your legal rights.



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