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

After a tractor-trailer crash, an injured person usually hears from an insurance company long before any court is involved. 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

Minimum levels of financial responsibility are set by the Federal Motor Carrier Safety Administration (FMCSA) 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 cargo. 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. 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 goes to the trucking company first. A truck accident lawyer may send a preservation letter requesting that the company keep the truck, the ECM and ELD data, camera footage and the driver's records.

What to expect from the insurance adjuster

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, though a person's own policy may require cooperation with that insurer. Statements given while hurting or medicated can be used later 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 usually 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.

Social media and surveillance

After a crash, insurers sometimes review public social media posts, looking 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. A single photo can be misread without context, and a brief clip seldom shows what came before or after it. Many people post less 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 a wrongful death case, the available claims and who may bring them depend on state law. A tractor-trailer accident lawyer will usually collect medical records and bills, plus wage documents, before making a demand. Health plans, Medicare or Medicaid may hold liens or reimbursement claims that must be resolved from a settlement.

Fees and expectations

Many truck accident lawyers 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 is general information rather than legal *atlanta truck accident attorney* advice.