

# More Trucks On the Road Than Ever!

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Car accidents are bad enough. Accidents involving big rigs can be a hundred times worse, in terms of the number of other vehicles affected, the frequency of deaths, and the severity of injuries.

Causes of trucking accidents

These include all the causes of typical car accidents, such as driver intoxication, brake failure, and reckless driving, as well as others, such as:

- Overloaded trucks
- Oversized trucks
- Driver fatigue
- Driver inexperience

When a big rig driver engages in the same illegal behavior as some car drivers, the consequences can be far worse. Picture the scene when a big rig driver collides with a car because of:

- Speeding
- Failure to yield right of way
- Driving under the influence of alcohol or drugs

Driver Regulation

In the early 1980s, the increasing number of 18-wheelers led to the formation of the Federal Highway Administration (FHWA). Laws were then enacted to improve big-rig driver responsibility. Such drivers were required to meet minimum national standards before they could obtain a Commercial Driver's License (CDL).

Each state was also required to use uniform testing standards for licensing commercial drivers. And special endorsements are required for some vehicles:

- Double or triple tractor trailers
- Semi trucks loaded with hazardous materials
- Tank vehicles
- Combinations of tank and hazardous materials

Trucking Industry regulations Interstate traffic is regulated by the Federal Motor Carrier Safety Regulations (FMCSR). In addition, each state has its own set of regulations and laws. The FMCSR regulates such issues as:

- Safe loading
- Use of alcohol and drugs
- Driver qualifications
- Emergency equipment
- The truck driver's log

Truck driver logs and inspections All truck drivers have to maintain a log, recording their driving times and hours of rest, among other things.

Before each trip, the driver must inspect his truck systematically and this is governed by FMCSR 392.7. The driver must:

- Review any previous inspection reports
- Double-check that anything marked for repair was in fact repaired
- Check the overall condition of his truck, looking for flat tires, suspension problems etc.
- Check underneath the truck for any evidence of oil, coolant or fuel leaks
- Examine the area around the truck for anything that might present danger to its movement, such as objects on the ground or low hanging wires

Driver fatigue Also regulated by the FMCSR, in an attempt to cut down on accidents caused by sleepy or slow-reacting drivers, is permissible driving hours. For instance, truck drivers:

- May drive for 11 hours if they've just had 10 consecutive hours off
- May not drive after being on the road for 60 hours in a 7-day period
- Must take at least 34 consecutive hours off before they can begin another driving cycle

But because of pressure over the profit margin, drivers are sometimes instructed to drive more hours than these regulations permit.

Loading up the truck Unbalanced or overweight loads, or loads that shift while the truck's in motion are another cause of accidents because they can cause the driver to lose control.

The driver is responsible for his cargo. Unless his cargo has been sealed, he must:

- Know what it is
- Know what it weighs
- Make sure it's placed properly
- Inspect it before he starts his trip

An overloaded big rig takes longer to stop. It also gathers more speed on downhill grades, requiring more use of the brakes, which can overheat. A lopsided load puts too much weight on some of the tires and axles, which can break.

#### Get legal help

If you've been hurt in a semi-truck accident, it would be wise to consult an experienced truck accident attorney because the relevant law is complex.

#### Time is of the essence

Relevant evidence may disappear as time passes, such as the truck driver's log, which may legally be destroyed after 6 months if no attorney subpoenas it or obtains a court order very soon after the truck accident.

These log books can supply evidence of:

- Maintenance and repairs
- The driver's schedule
- Mistakes made by the driver that led up to the accident

Also, memories fade, people move away, become ill, even die. All of this makes gathering evidence and contacting witnesses more difficult

#### Insurance caveats

Because road accidents can be very expensive for trucking companies, they tend to carry a lot of insurance. And accidents are expensive for the insurance companies too. So both the trucking company and their insurance company will want to resolve things as quickly as possible, even right at the scene of the accident.

Never sign any document presented to you by an insurance representative without first consulting an attorney. You could be signing away your right to proper compensation.

Keep in mind that insurance companies make their money by investing. That means that the less they can pay out in compensation to their customers, and the longer they can delay any such payments, the more income they can be drawing on their invested money. The interests of an insurance company are directly opposite to yours as an accident victim. Don't delay in consulting an experienced truck accident attorney in Flint, Michigan.