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. Knowing what to expect is one reason people contact a truck accident lawyer before giving a statement or signing anything.

How much insurance a trucking company must carry

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 cargo. These are floors, not caps, and some trucking companies carry more coverage through excess or umbrella policies. An MCS-90 endorsement may also apply to certain claims, so a truck crash attorney usually asks for every policy that could apply.

The company's first moves

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 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.

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. Comments made while in pain or on medication can later be used to dispute the claim. Adjusters may also request broad medical authorizations that open 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 generally means signing a release that ends the claim. Insurers also tend to argue comparative negligence by pointing to the injured driver's speed or lane position. Some also dispute injuries by pointing to preexisting conditions or gaps in treatment.

Surveillance and social media

Insurers sometimes review public social media posts after a crash, 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. One image can be taken out of context, and a short clip rarely shows what happened before or after it. Many people limit what they post while a claim is open, 18 wheeler truck attorneys and keep a simple record of their symptoms, missed work and medical appointments.

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 a wrongful death case, the available claims and who may bring them depend on state law. A truck accident attorney 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.

Fees and expectations

Many truck accident lawyers work on a contingency *truck accident lawyers* fee, which means the fee is a percentage of any recovery and is set out in a written agreement. No lawyer, insurer or article can promise a particular result, and this is general information rather than legal advice.