

Critical Evidence For Truck Crash Cases

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Truck accidents are incredibly devastating events that often result in extensive physical, emotional, and financial damage for the other drivers involved. Because of their size, commercial trucking vehicles almost always cause more destruction than typically occurs when two passenger vehicles crash. A significant number of fatalities also result from truck accidents. In 2018, the most recent year for data, 5,096 large trucks and buses were involved in fatal crashes, [according to the Federal Motor Carrier Safety Administration](#).

Those in passenger vehicles are often the ones left with the most serious injuries, be they medical conditions, damage to personal property (i.e., your car), or mental and emotional pain and suffering.

Gathering the right evidence in the aftermath is important any time you are involved in a truck accident — and crucial if you are injured from the crash and intend to pursue a claim for damages. The following items are the type of evidence commonly used to prove that the truck driver or another party, such as the trucking company, broker, shipper or manufacturer, acted negligently and was a contributing cause of the crash.

Accident reports. Police that arrive at the accident scene will create an official report. You should obtain a copy of this report for your own records. With trucking accidents, a certified truck inspector often sent by the state police, should examine the vehicle before it gets removed from the scene. They will check for things like an apparent vehicle defect, an overweight load, low tread on the tires, loading irregularities, or some other malfunction that could have contributed to or caused the accident. Obtain a copy of this report as well.

Photos and witness statements. If you are able to, take pictures of the accident scene, including damage done to your vehicle and other personal property, any tire or skid marks on the road, and the truck involved in the accident. Also document cuts, burns, and other injuries you may suffer because of the crash. Get names and contact information for witnesses and ask the police to obtain their account of the incident, either via written statement or video testimonial.

Alcohol and Drug Testing. In most cases involving a fatality or physical injury federal regulations require that the driver of a commercial truck be given a drug and alcohol test to check for possible impairment. The use of illegal substances or excessive amounts of prescription medications may result in driver fatigue and reduce concentration and driver reaction time.

Electronic logs. Federal law requires commercial truck drivers to follow [Hours of Service regulations](#), which stipulate how long they are allowed to drive and when they must take breaks. Electronic Logging Devices (ELDs) automatically record this information and transmit it to the carrier, providing more precise reporting as to whether a truck driver is adhering to these Hours of Service regulations. If you are in a truck accident because a driver violated these regulations and was suffering from fatigue or exhaustion, these logs could provide evidence of that fact.

Evidence requested in a spoliation letter. Your truck accident attorney may draft and send a spoliation letter, which is a document sent by the injured party requesting that all evidence related to the accident be preserved. That evidence could include truck inspection reports, the truck driver's qualifications and driving records, dispatch instructions, weigh station and loading dock reports, and the aforementioned driving logs. If your accident is the result of negligence on the part of the truck driver, trucking company, or another party, evidence of that negligence may be found in these documents.

While you can obtain some of these items yourself — think photos and a copy of the police report — obtaining other types of evidence to use in your case will require the assistance of an experienced truck accident attorney. Generally speaking, the sooner you contact one after the crash, the better your chances of being able to prepare a successful case and to recoup damages.

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