How Fault Works in Rear-End and T-Bone Car Accidents

Rear-end crashes and T-bone collisions are two crash types that come up often in injury claims. The label describes how the vehicles met, but it does not settle who was at fault. A car accident lawyer reviewing one of these crashes usually begins with the sequence of events, from each car's speed to the signals that controlled traffic.

How rear-end collisions happen

Many state traffic codes prohibit following another vehicle more closely than is reasonable and prudent, taking into account the speed of traffic and the condition of the road. Distraction is a frequent factor. NHTSA explains that sending or reading a text takes a driver's eyes off the road for 5 seconds, which at 55 mph is like driving the length of a football field with eyes closed. An auto accident attorney car accident claim form will sometimes request the other driver's phone records if distraction is suspected.

The trailing driver is often found at fault in a rear-end crash, yet that result is not automatic. A car that cuts in and brakes suddenly, brake lights that fail or a vehicle backing up may shift part or all of the fault. In a multi-vehicle pileup, every impact is its own event, and a middle car pushed into the car ahead may not be at fault for that second impact.

Whiplash and soft tissue injuries

Rear-end impacts are often associated with whiplash, a neck injury caused by a rapid back-and-forth movement of the head. Neck pain and headaches may not show up until hours after the crash, which is one reason a prompt medical evaluation matters. Insurers sometimes dispute injury claims from low-speed rear-end crashes, citing minor vehicle damage. Medical records and photos of both vehicles help answer that argument, along with imaging such as an MRI when a doctor orders one.

How T-bone collisions happen

A T-bone collision happens when the front of one vehicle strikes the side of another, most often at an intersection. Typical causes include failing to yield on a left turn and running a red light or a stop sign. The sides of a car have less room to absorb crash forces than the front or rear, and the Insurance Institute for Highway Safety (IIHS) evaluates side protection in its own side-impact crash test. Occupants on the struck side can suffer serious injuries, including traumatic brain injury and pelvic fractures.

These crashes often turn on who had the right of way. Useful evidence includes signal timing records, intersection camera video, nearby business surveillance footage, dashcam video and witness statements, plus the event data recorder (EDR) in each car, which may hold speed and braking data from the seconds before the crash. An auto accident attorney typically moves quickly to collect video, because many systems record over old footage within days or weeks.

When both drivers share fault

Fault is often shared. Most states use some version of comparative negligence, which lowers a recovery by the injured person's share of fault. Under modified comparative negligence, a person found at least 50 or 51 percent at fault, depending on the state, may recover nothing, while pure comparative negligence allows a reduced recovery at any level of fault. A small number of jurisdictions still follow contributory negligence,

which can bar recovery for even slight fault. A car accident attorney will know which rule applies in the state where the crash happened.

Deadlines and general information

Each state sets its own statute of limitations for injury claims, and claims against a government agency can require written notice much sooner. This article is general information, not legal advice, and no article can predict how a claim will turn out.