

Car and truck accidents may seem similar at first glance, but they are quite different in their causes, consequences, and legal implications. While both types of accidents involve motor vehicles and can result in injuries or fatalities, the scale, complexity, and impact of truck accidents are often far greater. Below, our Durham car accident lawyer will explore the significant differences between car accidents and truck accidents, focusing on aspects such as vehicle size and weight, the nature of injuries, accident causes, liability issues, and the rules and regulations surrounding trucking.

Vehicle Size and Weight

The most basic and noticeable difference between a car accident and a truck accident is the vehicle size and weight. The typical passenger car weighs 3,000 to 4,000 lbs, while a fully loaded commercial truck (also known as an 18-wheeler or big rig) can weigh up to 80,000 lbs. This vast difference in size and weight creates several challenges and dangers that are unique to truck accidents.

Impact on Collisions

The huge difference in weight means that if a truck collides with a car, the force exerted on the smaller vehicle will be much greater than in a collision involving only cars. The momentum of a large truck, especially at highway speeds, can cause catastrophic damage to smaller vehicles and often fatal or near-fatal injuries to their occupants. The large size of the truck might also lead to multi-vehicle pile-ups, which would add to the complexity of the situation.

In contrast, while still dangerous, car accidents generally involve less force and can result in less severe physical damage. The chances of surviving a car accident are typically higher than surviving a collision with a truck simply because the forces at play are smaller.

Nature of Injuries

The type and severity of injuries sustained in car accidents versus truck accidents differ dramatically due to the forces involved and the size of the vehicles.

For example, in a typical car accident, injuries may include whiplash, broken bones, soft tissue injuries, head injuries or concussions, cuts, and bruises. While these injuries might range from minor to severe, we know that, in general, car accidents result in injuries that are painful and inconvenient – but typically not life-threatening.

Alternatively, truck accidents often result in much more severe injuries, including traumatic brain injuries (TBI). These spinal cord injuries potentially lead to paralysis, internal bleeding and organ damage, severe burns (especially in accidents involving hazardous materials), multiple fractures, and/or crushed bones.

Because of the size and mass of trucks, fatal injuries are more common, and, especially at lower speeds, the damage that can be caused by a truck is massively more damaging, with survivors often requiring complex and long-term rehabilitation, sometimes for life.

Causes of Accidents

A wide variety of factors can cause car accidents and truck accidents, but certain causes tend to be more prevalent in one type of accident versus the other.

Car accidents are often caused by human error, including:

- Distracted driving (e.g., texting, eating, or adjusting the radio)
- Speeding
- Driving under the influence of alcohol or drugs
- Running red lights or stop signs
- Weather conditions such as rain, ice, or snow
- Fatigue

Although mechanical failures or road conditions may sometimes be an issue, ultimately, driver error is the most common cause of car accidents.

Truck accidents, on the other hand, can involve many of the same factors as car accidents but also include additional risks that are specific to large commercial vehicles. Those risks include:

- Driver fatigue: Truck drivers spend long hours on the road and may feel pressured to meet tight delivery deadlines.

- Error of loading: The truck can be overloaded or have cargo not properly distributed, making it unstable and more likely to roll over or jackknife.
- Equipment failure: Old brakes, blowouts, or other hardware failures are more common in trucks, which are much more intensely used than passenger cars.
- Blind spots: Because trucks have larger “no-zones” or blind spots, other cars can disappear from view if the driver is unaware of their location, which can lead to an accident.
- Inexperienced or inadequately trained drivers: Commercial truck drivers must be specially trained and licensed, but not all drivers get proper training before getting behind the wheel.

Because trucks are larger and more complex than cars, there are more likely to be more factors behind trucking accidents, and the consequences are likely to be worse than in a car accident.

Liability and Legal Issues

Liability in car accidents is typically straightforward: one or more drivers may be found at fault, and their insurance companies will work to settle the claims. Truck accidents, however, introduce a host of additional factors that can complicate the determination of liability.

Liability in Car Accidents

In North Carolina, liability for car accidents is determined based on **contributory negligence**, one of the strictest liability standards in the country. In general, under contributory negligence, if a driver is found to be even one percent at fault for an accident, they are barred from recovering any compensation from the other party, regardless of the severity of their injuries or damages. This makes North Carolina different from many states that follow comparative negligence rules, where partial fault still allows for recovery. However, working with a skilled Durham car accident lawyer may benefit your case, as there may be a way to refute claims of contributory negligence.

Determining fault in a North Carolina car accident requires a careful investigation, and insurance companies or courts will examine factors like traffic violations, witness statements, and accident reports to assign liability. Because of the harsh nature of contributory negligence, having legal representation can be crucial for accident victims to protect their rights.

Liability in Truck Accidents

Truck accident cases involve many more parties than ordinary car accident cases, and one or more of those additional parties may be liable for the accident. Those parties may include, but are not limited to:

- The truck driver: If the driver was negligent, such as by speeding, driving while fatigued, or under the influence, they may be held liable.
- The trucking company: In some cases, the company that employs the driver may be liable if it was negligent in hiring, training, or supervising the driver or if it encouraged dangerous practices like exceeding driving hour limits.
- Cargo loaders: If the accident was the result of incorrectly stacked cargo, the company that loaded the truck might carry liability for the cost of the damage.
- Manufacturers or maintenance companies: The injured party may have a case against the manufacturer of the defective part(s) or the company responsible for maintaining the truck.

Truck accident cases often require a thorough investigation to determine the cause of the accident and identify all responsible parties. This process can be lengthy and complex, involving expert witnesses, review of maintenance records, and analysis of driving logs and other documentation. As a result, truck accident claims are often more difficult to resolve than car accident claims.

Insurance Coverage and Compensation

Another major difference between car and truck accidents is the insurance coverage available. While most drivers carry auto insurance, the coverage limits for passenger vehicles are typically much lower than those for commercial trucks.

Insurance in Car Accidents

In North Carolina, drivers must carry minimum liability insurance to cover damages in the event of a car accident. The state's minimum coverage includes \$30,000 for bodily injury per person, \$60,000 for bodily injury per accident, and \$25,000 for property damage. This is known as **30/60/25 coverage**. Additionally, North Carolina mandates that drivers carry **uninsured/underinsured motorist coverage** to protect themselves in case they are involved in an accident with a driver who lacks sufficient insurance.

After an accident, the at-fault driver's insurance is typically responsible for covering the victim's medical bills, property damage, and other losses. However, due to the state's contributory negligence rule, if the victim is found to share any fault for the accident, they may be barred from receiving compensation from the at-fault driver's insurance.

Therefore, it's important for drivers to thoroughly understand their coverage and the complexities of North Carolina's insurance laws.

Insurance in Truck Accidents

Commercial trucks are held to federal regulations that require a minimum of \$750,000 in insurance coverage – more than what a regular passenger vehicle carries. For some businesses, the protection requirement can be even higher than that, depending on the cargo and the nature of the company. A truck can be required to allow as much as \$1 million or more in liabilities. While higher insurance coverage for trucking companies may mean more compensation for victims of accidents, it also means that the insurance companies will most likely fight even harder to limit liability.

In truck accident cases, several insurers may be involved—the insurer for the truck driver, the trucking company, and other parties—complicate the claims process. As a result, truck accident cases can become fiercely contested, with multiple insurers attempting to pin fault on each other's insured and lower the amounts paid on claims.

Regulatory Differences

Another critical difference between car and truck accidents is the regulatory framework governing commercial trucking. While passenger car drivers are subject to state traffic laws, commercial truck drivers and trucking companies must adhere to a strict set of federal regulations enforced by the Federal Motor Carrier Safety Administration (FMCSA).

FMCSA Regulations

The FMCSA establishes rules regarding the following:

- Hours of Service (HOS): Rules governing the number of hours that a truck driver can drive consecutively before being required to rest or take a break, designed to prevent fatigue-related crashes.
- Maintenance of vehicles: Trucking companies are required to maintain their vehicles and keep detailed maintenance records.
- Drug and alcohol testing: All truck drivers are regularly tested for drugs and alcohol to make sure that they are not driving under the influence.
- Licensing and training: Driving a truck requires obtaining a commercial driver's license (CDL), and drivers must receive special training to operate the vehicle.

These regulations are intended to improve safety and reduce the risk of accidents, but they also create additional layers of complexity when it comes to investigating and litigating truck accident cases. If a trucking company or driver is found to have violated FMCSA regulations, they may be held liable for an accident, even if they were not directly at fault.

Have Questions? Let Our Durham Car Accident Lawyer Help

If you or a loved one has been injured in a car or truck accident, an experienced accident attorney can explain your legal options, help identify all potentially liable parties, and aggressively pursue full compensation. [Contact our office](#) today to discuss your legal rights and options.