

You may have seen signs warning of a “soft shoulder” and not given it much thought. A soft shoulder is when the side of the road is a different material than the roadway itself, such as compacted dirt, gravel, or other materials. By contrast, interstates and other major highways tend to have shoulders that are either concrete or asphalt. Soft shoulders are more prevalent on rural roads and highways where the pavement does not extend much further than the white line. The issue is that soft shoulders can present numerous potential hazards, particularly for large trucks such as tractor-trailers. If you have been injured in a truck accident due to a soft shoulder, an [experienced truck accident attorney](#) can help you understand your rights and your options.

What Makes Soft Shoulders Dangerous

Because they are unpaved, soft shoulders are typically much less stable than a paved roadway. This unstable road surface can result in the following:

- A sudden loss of control of the vehicle
- Loss of traction, resulting in skidding or sliding
- Dramatic loss of speed

Large trucks are considerably heavier than [passenger vehicles](#), and therefore the soft shoulder has a much more drastic impact on the truck’s handling and ability to stop.

In addition, soft shoulders are often below the surface of the road and sometimes pitched at a downward angle. Going off the road and onto a soft shoulder will often result in a rollover accident. And because large trucks have such a high center of gravity, they are especially prone to rolling over when they go off the road, even more so when it is onto a soft shoulder.

How Soft Shoulders Result in Accidents

There are risks beyond rollover accidents, however, when a truck goes off the road and onto a soft shoulder. For example:

- The driver may overcorrect and unexpectedly swerve back onto the road and into the path of other motorists
- The driver may be unable to stop and slam into trees or other obstacles on the side of the road, ricocheting back onto the road and into traffic
- The sudden deceleration causes the truck to jackknife, with the trailer swinging out into the roadway
- The rollover causes cargo, hazardous materials, or other debris to spill onto the roadway

A truck driving onto the soft shoulder can quickly result in an accident involving other motorists. That said, even if other vehicles are not involved, these accidents can result in severe injuries and even death for the driver.

Truck Driver Negligence

Of course, you are intended to drive on the roadway and not on the shoulder. However, there may be times when a truck driver needs to legitimately pull onto the shoulder. For example:

- The truck is experiencing a mechanical issue
- The driver is having a medical emergency
- The driver is stopping to help another motorist
- There is some other issue that requires the driver to immediately pullover

However, there are many instances where a truck driver pulls onto the shoulder due to negligence:

- They are swerving to avoid an accident due to tailgating or speeding
- They lost control of the truck and went off the road
- The driver fell asleep and went off the road
- The driver was impaired due to drugs or alcohol
- The driver went off the road due to driving too fast for the [weather conditions](#)

If the truck driver goes onto the shoulder and causes an accident, the driver and the trucking company may be held liable for any injuries they cause to other drivers. A truck accident lawyer will know how to pursue a claim so that you can get the compensation you deserve.

Soft Shoulder Accidents Caused by Other Drivers

Not every truck accident is caused by negligence on the part of the truck driver. They may have needed to go off the road to avoid an accident with another vehicle that was driving erratically. Alternatively, the other vehicle may have caused the accident when it collided with the truck after going off the road, overcorrecting, and swerving back into traffic. Whatever the case may be, these accidents highlight how important it is to identify the cause of your accident. A truck accident lawyer can launch a thorough investigation of the accident so that you can identify who caused the accident and who should therefore be held accountable.

Unsafe Road Design or Negligent Maintenance

Some soft shoulder accidents are the result of either poor road design or negligent maintenance. Roads are designed by civil engineers to not only carry the anticipated volume of traffic but should also be designed to be safe for all motorists. Common design defects that can result in soft shoulder accidents include the following:

- Adding additional travel lanes without widening the road by using the existing “hard” shoulder
- Poor visibility that results in drivers swerving onto the shoulder or into the oncoming lane to avoid hazards
- Poor drainage that results in pooling water and causes trucks and other vehicles to go off the road

A lack of maintenance can also result in soft shoulder accidents. For example, potholes or crumbling asphalt can force trucks off the road. Similarly, failure to clear debris or vegetation from the shoulder can cause an accident when the driver needs to get off the road.

Unfortunately, these claims can be much more difficult to pursue than if the accident was caused by the truck driver or another motorist. You may need to identify the entity responsible for designing or maintaining the road, and you may have to pursue a claim against the state or municipality. Pursuing a claim against a governmental entity is quite complicated, but a truck accident lawyer can help you navigate the obstacles.

Contact a Truck Accident Lawyer at Martin & Jones Today

If you have been injured in a truck accident, you may be entitled to compensation for your injuries, lost income, and other losses. Whether it was caused by a soft shoulder or something else, we have over 30 years of experience in helping truck accident victims get their lives back. To schedule a free consultation, [contact us](#) today at 800-662-1234 to discuss your case.

