Does a Serious Truck Accident Require a Different Kind of Lawyer?

The Right Legal Team Must Be Prepared for the Demands of a Catastrophic Truck Crash

A serious truck accident case often demands more than a typical car crash claim, and that can change which lawyer a family should hire. Many families already know an attorney who handled a previous car accident, and calling that lawyer first can feel like the reasonable step while hospital bills and treatment decisions pile up.

A capable car accident attorney may also be well equipped for trucking litigation. Another may recognize that the case needs more experience and bring in trucking co-counsel. The difference comes down to actual capabilities, including commercial vehicle investigations, corporate discovery, catastrophic injury evidence, and trial preparation.

An experienced truck accident lawyer should be able to explain how the team will investigate responsibility, preserve evidence, and establish the full consequences of the injuries. Our attorneys at Fried Goldberg, LLC work on both sides of that decision, representing families directly and partnering with lawyers who bring us trucking cases.

Key Takeaways

- **Federal Rules Change the Case** – Trucking companies must follow Federal Motor Carrier Safety Administration (FMCSA) regulations, and violations can help prove negligence.
- **Critical Evidence Can Disappear Fast** – Electronic logging and engine data may be overwritten or lost unless preservation demands go out quickly after the crash.
- **More Defendants, More Insurance** – Motor carriers, brokers, shippers, and maintenance companies may share fault, often with layered insurance coverage behind them.
- **Corporate Depositions Can Reshape a Case** – Questioning a trucking company's safety managers takes preparation most car crash cases never require.
- **Co-Counsel Is an Option** – Attorneys facing a complex trucking case can bring in a trucking firm and stay involved with their client.

Is a Regular Car Accident Lawyer Good Enough for a Semi-Truck Case?

Many skilled injury lawyers handle car crashes well. A serious truck accident is a different kind of case, though. It runs on a separate body of federal law, a different set of evidence, and corporate defendants with defense teams built specifically for trucking litigation.

A typical car accident involves one driver and one auto policy. A truck crash involves a motor carrier with federal safety duties, written company policies, and minimum insurance

requirements. Under 49 CFR 387.9, most for-hire carriers hauling general freight must carry at least $750,000 in liability coverage, and many carry far more through excess policies.

Those higher stakes change how trucking insurance companies defend claims. Carriers often send rapid-response teams to the scene within hours. A lawyer who doesn't know what to demand, or how quickly, can lose evidence the case depends on before the first meeting with the family.

Factor	Typical Car Accident	Serious Truck Accident
Governing rules	State traffic laws	State law plus federal motor carrier regulations
Key evidence	Police report, photos, witness statements	Driver files, logbooks, engine data, dispatch records, maintenance records
Defendants	Usually one driver	Driver, motor carrier, and possibly brokers, shippers, or maintenance companies
Insurance	Personal auto policy	Commercial policies, often with excess or umbrella layers
Experts	Sometimes a medical expert	Accident reconstructionists, trucking safety experts, and medical and economic experts
Evidence lifespan	Longer for most evidence	Some electronic data can be overwritten in weeks

Trucking Discovery That Goes Beyond the Police Report

Trucking discovery is the process of demanding records that federal rules require motor carriers to create and keep. These documents often show a pattern of unsafe decisions that a police report never captures. Some of the most important records in a serious truck accident case include:

- **Driver Qualification Files** – Under 49 CFR 391.51, carriers must keep files with each driver's application, driving record, road test, and medical certification.
- **Hours-of-Service Records and Electronic Logging Data** – Federal hours-of-service rules limit driving time, and electronic logs can show whether a fatigued driver broke them.
- **Engine Control Module Data** – The truck's onboard computer can record speed, braking, and throttle in the moments before impact.

- **Maintenance and Inspection Records** – Federal inspection and maintenance rules require carriers to keep records that can expose ignored brake or tire problems.
- **Dispatch, Telematics, and Camera Footage** – Messages and GPS data can show whether dispatchers pushed drivers to meet unrealistic delivery times.

Knowing what to request, and when, often decides what survives. Some records only have to be kept for months, and some data can be overwritten automatically.

Investigation Resources and Preserving Evidence Early

A strong trucking case usually starts with a spoliation letter, a formal demand that the carrier preserve evidence. It should go out as soon as possible. It puts the company on notice that destroying records or data could carry serious legal consequences in court.

From there, a thorough truck accident investigation may involve inspecting the truck, downloading electronic data, mapping the scene, and hiring accident reconstructionists. These experts use physics and vehicle dynamics to show how the crash happened. Their work can rebut a carrier's version of events.

That work is expensive, and it has to happen before anyone knows how the case will end. Families should ask whether a firm has the resources to fund experts and investigation up front.

Why Corporate Depositions Matter in Trucking Litigation

In a car accident, the key testimony usually comes from the two drivers. In a trucking case, some of the most important testimony comes from inside the company. Safety directors, dispatchers, and fleet managers can reveal whether the carrier hired, trained, and supervised its drivers responsibly.

In federal court, Rule 30(b)(6) of the Federal Rules of Civil Procedure lets a party depose a company through a designated witness. That witness has to testify about information known or reasonably available to the organization, and many states have similar rules. These depositions can lock a trucking company into its policies, or expose the gap between its written rules and what actually happened.

Taking these depositions well requires deep knowledge of federal regulations and industry practice. A lawyer needs to know which policies the carrier should have had, which training it skipped, and how its safety numbers compare with industry standards. That's often where a case built on one driver's mistake becomes a case about corporate negligence.

Trial Experience and Why Trucking Insurers Track It

Trucking insurers and their lawyers pay close attention to who's on the other side. They know which lawyers settle every case and which lawyers will actually stand in front of a jury. That reputation can change settlement offers long before trial is ever scheduled.

Trial experience in trucking cases is its own skill set. It means explaining vehicle dynamics and federal regulations in terms jurors can follow, and telling the client's story in a way they connect with. When jurors see how a preventable crash changed a family's life, they're far more likely to hold a trucking company accountable.

Families evaluating a lawyer should ask how many trucking cases the firm has actually tried, not just settled. A track record of verdicts and settlements in commercial vehicle cases shows whether a firm has done the work before. It also shows whether the defense has reason to take the firm seriously.

Questions Families Should Ask Before Hiring a Truck Accident Lawyer

Every lawyer says they can handle a truck accident case. The right questions help families separate general injury practices from firms built for serious trucking litigation, often in a single consultation.

- **How Much of Your Practice Is Trucking?** – A firm that handles a few truck cases a year faces carriers that defend thousands of claims.
- **Are You Board Certified in Truck Accident Law?** – The National Board of Trial Advocacy (NBTA) certifies attorneys who meet experience and testing standards in truck accident law.
- **Who Pays for Experts and Investigation Up Front?** – Serious trucking cases require expensive reconstruction and expert work early, often before a lawsuit is filed.
- **How Many Trucking Cases Have You Taken to Trial?** – Insurers weigh a firm's willingness to try cases when they decide what to offer.
- **Will You Bring In Co-Counsel if Needed?** – A lawyer who recognizes a case's limits and partners with a trucking firm is protecting the client.

Those answers say a lot about whether a firm can match the resources of a trucking company's defense team. They also show what a dedicated truck accident attorney brings to a family's case before the carrier's version of events takes hold.

When Attorneys Should Consider Trucking Co-Counsel

Many lawyers recognize when a case has grown beyond their usual practice. Common signs include a catastrophic injury or death, several corporate defendants, layered insurance, or an approaching trial date. Some attorneys bring in trucking co-counsel even on the eve of trial to make sure a victim is properly represented.

Bringing in co-counsel doesn't mean handing off the client. Under fee-sharing rules modeled on American Bar Association (ABA) Model Rule 1.5(e), lawyers in different firms may generally divide a fee if the client agrees in writing. The division must be proportional to the work done, or each lawyer must take joint responsibility. Each state's version of the rule varies, so attorneys should check their own.

Well-built co-counsel agreements let the referring lawyer stay involved and keep the client relationship. Many divide responsibilities clearly, with the referring lawyer handling client communication while trucking counsel drives discovery and expert work. Attorneys who want to sharpen their own trucking practice can also find practical tools in a dedicated lawyer resource portal.

Choosing the Right Team for a Life-Changing Truck Crash

Our attorneys bring more than 100 years of combined experience handling truck accident cases and have litigated them in more than 43 states. Joe Fried was named Trucking Trial Lawyer of the Year by the American Association for Justice and is Board Certified in Truck Accident Law by the NBTA. Our firm also wrote Understanding Motor Carrier Claims, the treatise lawyers across the country turn to when preparing their own trucking cases.

For families, that experience means a team that knows where trucking companies hide their mistakes and how to prove them. For attorneys, it means a partner who can add value to a case without taking the client away. Either way, the goal is the same, which is the full recovery the law allows.

If someone you love was seriously hurt in a truck crash, or you're a lawyer weighing trucking co-counsel, talk with our team about the case. Consultations are free, and families pay no fee unless we recover compensation.