The Timeline of a Tractor-Trailer Crash Claim

A truck accident claim moves through stages that can take months or years. Some deadlines belong to the trucking company, such as how long it has to keep certain records, while others belong to the injured person, such as the statute of limitations. A truck accident attorney can explain where a given claim sits in this sequence, though no two claims follow the same path.

The first hours and days

Emergency care comes first, and the medical records from that day often become important evidence. The responding officers prepare a crash report, which usually identifies the vehicles, the drivers and their insurers along with the officer's observations. Under 49 CFR 382.303, the trucking company must test its surviving driver for alcohol and controlled substances after certain crashes, including any crash involving a death. If the alcohol test is not given within 2 hours, the reason must be documented, and attempts stop after 8 hours. Attempts at the controlled substances test stop after 32 hours.

The first weeks

Federal regulations set minimum retention periods for many trucking records, and some are short. Driver vehicle inspection reports must be kept for 3 months under 49 CFR 396.11, and records of duty status and supporting documents for 6 months under 49 CFR 395.8. Maintenance records are kept for 1 year under 49 CFR 396.3, and the accident register covers 3 years under 49 CFR 390.15. That is why a truck accident lawyer often sends a preservation letter early. A retention period sets a floor for routine recordkeeping, and it does not settle whether records must be kept once a claim is foreseeable.

Investigation and treatment

While medical treatment continues, the investigation continues on the legal side. Investigators may inspect the truck, download the engine control module (ECM) and electronic logging device (ELD) data, and interview witnesses. An accident reconstructionist may be retained to analyze scene measurements and the electronic data. Many claims are not valued ***truck accident lawyer*** until the injured person reaches maximum medical improvement, meaning the point when doctors can describe the long-term outlook. A truck crash attorney then puts together a demand package containing medical records and bills, plus wage loss documents.

If the claim does not settle

The insurance adjuster may accept, reject or counter the demand. If negotiations stall, the next step is usually a lawsuit, which must be filed before the statute of limitations runs. Every state sets its own deadline. Many states allow two or three years for personal injury claims, and claims against government bodies can require written notice much **truck accident lawyer** sooner. A truck crash lawyer watches the filing deadline from the start.

After filing, the case enters discovery: written interrogatories, requests for documents such as the driver qualification file and dispatch records, and depositions of the driver, company safety personnel and other

witnesses. Many courts require mediation before trial, and most cases end in a settlement rather than a verdict. If the case goes to trial, an appeal can add more time.

Resolution and payment

Settling a claim usually means signing a release. Before money is distributed, liens from health plans, Medicare or Medicaid may have to be resolved, and the contingency fee agreement governs the lawyer's fee and case expenses. A semi-truck accident attorney typically provides a written closing statement showing how the money was divided. This is general information and not legal advice, and no article can predict how long a given claim will take.