

Unique Challenges of Commercial Vehicle Accidents in New York

If you were injured in a crash with a truck, bus, or utility vehicle, our law firm can fight to protect your rights

Car accidents in New York City are always stressful, but commercial vehicle accidents bring a whole new set of challenges. From busy streets filled with delivery vans to massive trucks navigating tight corners, commercial vehicles are everywhere on NYC's streets and roads.

If you were injured in a collision involving a commercial vehicle—whether you're a car driver or a passenger on a city bus—there's a lot at stake. You could be faced with high medical costs while you're out of work and unable to earn a living. Meanwhile, the insurance companies stand to lose a lot of money from a single crash.

That's why it's best to let a skilled Bronx [commercial vehicle accident lawyer](#) at Giampa Law sort it out for you. Read more to find out who is likely responsible for a crash involving a commercial vehicle and how to seek compensation for your damages.

What types of commercial vehicles commonly cause accidents in New York?

New York's streets are home to a diverse array of commercial vehicles. You'll find everything from the iconic yellow taxis to enormous semi-trucks. Here's a quick rundown of the most common types of commercial vehicles:

- **Trucks and semi-trucks:** These giants of the road can cause severe damage in traffic accidents due to their size and weight.
- **Buses:** Both public transit and private charter buses are prevalent in the city. Like semi-trucks, they can cause serious damage in a crash due to their size and weight. Plus, a bus crash poses risks to bus passengers.
- **Delivery and courier vehicles:** The e-commerce boom has led to an increase in these vehicles zipping around the city. Some include small vans, buses, and box trucks.
- **Utility vehicles:** You see them all over the city: garbage trucks and other utility vehicles. Like buses, some of these vehicles are owned by private companies while others by city government entities.

What makes commercial vehicle accidents so complicated?

When it comes to commercial vehicle accidents, pursuing legal action after a crash gets tricky. Unlike a typical car accident between two private individuals, commercial vehicle accidents often involve multiple parties. You might have to deal with:

- The driver.
- The company that employs the driver.
- The vehicle manufacturer.
- Multiple insurance companies.

On top of that, commercial vehicles are subject to both federal and state regulations. For example, truck drivers have to follow strict, federal [hours-of-service rules](#) that spell out how long they can drive without taking a break. New York also has its own [set of laws](#) governing commercial vehicle operations.

Why are accidents with commercial vehicles often more severe?

It's simple physics – mass matters in collisions. Commercial trucks and buses are much larger and heavier than passenger cars. When they collide with smaller vehicles, the results can be catastrophic.

The size difference doesn't just affect the severity of injuries. It also increases the likelihood of multi-vehicle collisions. A large truck can easily crash into several cars in a single accident. This complicates both the immediate emergency response and the subsequent legal proceedings, especially when multiple insurance companies are involved.

Moreover, commercial vehicles often carry cargo. In a traffic accident, this cargo can spill and create additional hazards and roadway obstructions or even cause secondary collisions.

What insurance challenges do these accidents present?

Dealing with insurance companies after a commercial vehicle accident can feel like you're playing a game where the other side knows all the rules, and you're just learning them.

Commercial vehicles typically carry much larger insurance policies than personal vehicles. While this might seem like good news, it often means you're dealing with more experienced and aggressive insurance adjusters. These professionals handle high-stakes claims all the time. They know every trick in the book to minimize payouts.

Despite higher policy limits, some commercial vehicles might still be underinsured for major collisions. This can leave you struggling to get full compensation for your injuries and damages, the legal term for financial losses.

How does evidence gathering differ in commercial vehicle accidents?

Getting the right evidence after a commercial vehicle accident can make or break your case. When filing your claim, be sure to consult with an experienced New York car accident attorney

who knows how to gather the facts and build a strong case on your behalf. The evidence your attorney will look for will likely include:

- **Black box data:** Many commercial vehicles have "black boxes" similar to those in airplanes. These devices record valuable data about the vehicle's operation before and during a collision, including their speed at the time of the crash and whether the driver applied the brakes before slamming into another vehicle.
- **Dashcam footage:** More and more commercial vehicles use dashcams. This footage can provide clear evidence of what happened during the collision.
- **Driver logs:** Commercial drivers, especially truckers, must keep detailed logs of their driving time and rest periods. These logs can reveal if the driver was operating the vehicle longer than legally allowed.
- **Company records:** The company's training procedures, maintenance records, and safety policies can all be relevant to your case, especially if the trucking company failed to follow standard protocols or did not fill out these records.

Who can be held liable in a commercial vehicle accident?

Determining liability (the legal term for who's legally responsible for paying for your financial losses) in a commercial vehicle accident often feels like unraveling a tangled knot. Here are some of the parties who might be on the hook:

The driver

The driver of a commercial vehicle may be held liable for violations of traffic laws such as speeding, running red lights, driving distracted, or driving under the influence of alcohol or drugs.

Drivers might also be negligent if they fail to properly secure cargo, ignore mandatory rest periods leading to fatigue-related accidents, or operate the vehicle recklessly given road or weather conditions.

The driver's employer

The employer of the commercial vehicle driver can be held responsible under the principle of [vicarious liability](#). This means the company may be liable for accidents caused by their employees while acting within the scope of their employment.

Employers might also be directly negligent if they fail to:

- Properly screen, train, or supervise their drivers.
- Conduct [drug tests](#) required by federal law.

- Properly inspect and maintain their vehicles.

The vehicle manufacturer

Vehicle manufacturers may be held liable if a mechanical failure or design flaw contributes to a commercial vehicle accident. This could involve issues such as faulty brakes, steering systems, or defective tires.

Manufacturers might also be negligent if they fail to issue timely recalls for known defects or provide adequate warnings about potential safety issues. In some cases, liability could extend to the manufacturers of specific components used in the vehicle.

Government entities

If you're involved in a crash with a municipal vehicle (e.g., a utility truck or city bus), a government entity may bear responsibility for your crash. Seeking compensation from a government agency is very different than a claim against a private driver or company and their insurer.

You must first file a [Notice of Claim](#) within 90 days of the crash. This notice must be filed with the specific agency involved and the New York City Comptroller's office. The notice should include details about the collision, your injuries, and the damages you're seeking.

After filing, there's typically a 30-day period during which the city can investigate your claim. If your claim is denied or ignored, you can then file a lawsuit, but you must do so within one year and 90 days.

What types of compensation can victims seek?

If you're injured in a commercial vehicle accident, you might be entitled to several types of financial compensation. These include:

- **Economic damages:** These cover tangible costs such as medical bills, lost wages, and property damage. It also covers future costs, such as ongoing medical care and loss of future earning capacity.
- **Non-economic damages:** These include intangible losses that don't have specific bills or fees, such as pain and suffering, emotional distress, and loss of enjoyment of life.

The specific amounts can vary widely depending on the severity of your injuries and the strength of your case. You should never accept the first settlement offer, especially without consulting with an attorney. Insurance companies often use scare tactics to convince you to accept a lowball settlement that only covers a fraction of your total damages.

Let an experienced New York City attorney calculate your current and future damages and determine the true value of your claim.

Injured in a commercial vehicle accident in NYC? Get a trusted Bronx attorney on your side

If you've been injured in a commercial vehicle accident in New York City, don't wait to seek legal help. An experienced and knowledgeable attorney at [Giampa Law](#) is ready to guide you through this challenging time and help you build a strong case.

Our legal team will investigate your commercial vehicle accident thoroughly, fight tirelessly to hold negligent parties accountable and pursue the full compensation you deserve. We have successfully recovered millions of dollars for clients throughout NYC, and our [case results](#) prove it. Such results include:

- A **\$6.8 million verdict** for a scooter rider struck by a county bus.
- A **\$1.8 million settlement** for a female student passenger who suffered a spinal injury on a NYC Transit bus.
- A **\$770,000 settlement** for a union truck driver who was rear-ended while driving an attenuator vehicle.

Don't let trucking companies and their insurers take advantage of you with quick, lowball settlements. [Contact us](#) today for a free case consultation, and let us put our knowledge and resources to work for you while you focus on your recovery.