

Truck Accident Investigations

When trucks and cars collide on Oregon highways, one thing is certain and another thing is likely, but neither is good. First, the car is certainly going to “lose” in the battle between a 3,000-pound vehicle and an 18-wheeler with a cab that can weigh up to 23,000 pounds and which can carry a load of up to 80,000 pounds without special permission. The second thing is that injuries sustained in a car vs. truck collision are far more likely to be serious, traumatic and even life-changing, if not life-ending.

Making a personal injury claim in an Oregon truck accident is not the same as when two cars collide, and as such, it’s a good idea to hire a good truck accident attorney to carry out the necessary investigation. Truck accident investigations include obtaining [one very important piece of evidence which most people don't even know exists, the Driver Qualification File](#).

As well as claiming against an at-fault truck driver, you might also have a claim against his employer and the trucking company as well. While much of the evidence you will need to prove your case will be obtained at the scene of the accident, the Driver Qualification File (DQF), can provide information that is often quite successful in helping to win an Oregon truck accident case.

Ok, then, what’s a DQF?

Federal Motor Carrier Safety Regulations require every trucking company to maintain a DQF for every driver it employs. Some of the information in these files can prove invaluable when establishing grounds for your case. Items in the DQF must by law include:

- All employment applications
- Driving records, including any and all accidents the truck or driver has been involved in
- Copies of valid licenses
- Road test results
- Annual review records
- Vehicle maintenance records
- Personnel records
- Medical certifications
- Hours of service records
- Alcohol and drug test results
- The driver’s employment history
- Any recognized training certificates

As well as this information being on file, every commercial driver must also have *all* of the following qualifications. They must:

- Be at least 21 years of age
- Be in good health and physically able
- Have the ability to both read and speak English
- Know how to load and properly secure cargo
- Be able to operate their vehicle safely
- Have a valid commercial driver’s license
- Have passed a recognized driving test
- Possess a valid medical certificate

What this all means for you is that if the driver of the truck that hit and injured you does not meet every one of the requirements listed above, the chances of your case succeeding go up dramatically.

If nothing else, failure to meet these requirements indicates a level of negligence on the part of the driver and his employer.

Great! How do I get hold of the DQF?

The odds are you won't be able to get the DQF on your own. Truck companies are notoriously reluctant to part with DQF files, particularly if they know the information will show any degree of negligence or liability on their part.

Obtaining the DQF will almost certainly require intervention from an experienced truck accident attorney who may, if necessary, subpoena the trucking company for the DQF.

What else will my lawyer look for?

Strict [federal rules and regulations apply to both interstate truck drivers and the companies who employ them](#). As such, there are a number of areas your attorney can look into to help your case. Some of the restrictions placed on drivers for which precise records must, by law, be maintained include:

- How much time the driver was on the road since his last break
- What they have consumed
- What they are allowed to haul

Trucks also frequently are fitted with black boxes similar to those found on jet aircraft. The information recorded by these devices can also be critical in proving what happened just before your accident happened.

Your attorney can ask for data contained within this black box, including:

- Sudden changes in velocity
- Sudden, violent braking
- Changes in the number of engine RPMs
- The truck's speed at the time the brakes were applied
- Gear shifts or changes

If the truck is fitted with a GPS tracking device, details of the vehicle's location at any given moment (and therefore the speed at which it got to the next point) can easily be ascertained. This can be critical in determining whether the truck driver's behavior could have contributed to your accident.

Who is ultimately responsible?

If you've been injured in a trucking accident, there's more to be considered than just how the accident happened? When a big rig is involved, it invariably means there are other players in the game, though some of those players may not want to play! In these cases, however, the law is on your side, so you may be suing:

- The truck driver
- The owner of the truck and/or the trailer
- The person or company that leased the truck or trailer from the owner
- The manufacturer of the vehicle, tires or other parts that, if faulty, contributed to the accident and your injuries
- The person or company that loaded the truck's cargo, if an improper load contributed to the accident

In some cases, trucking companies will do their best to avoid liability. They may claim that the driver was not actually working for the trucking company and that if driver error was responsible for the accident, they can't be held liable, or they may say they don't actually own the equipment, so they are not responsible for the operation, maintenance, repairs or regular inspections of the truck or trailer.

With so much at stake and so many variables, it is never a good idea for a private individual to make a truck accident claim on their own. The amount of investigation and follow-up paperwork required is extensive, time-consuming and expensive.

Rather than taking all this on yourself, as well as trying to get over your injuries, let [an experienced Portland truck accident attorney](#) do the work for you. They don't charge for the service, and if you don't win your case, the lawyer won't look for a penny.

The initial consultation is also free of charge, so get in touch with a good personal injury lawyer and get your questions answered. A good truck accident lawyer will leave no stone unturned in an effort to hold all the parties responsible for your injuries liable, and they will fight hard to get you fair compensation to cover your medical expenses, lost wages, ongoing treatment and for your pain and suffering.