

THE LITTLE BLACK BOX

What Are Truck Data Recorders and **What Can They Tell You?**



Jason Pottenger, Attorney
The Pottenger Law Firm, Kansas City, Missouri

WHAT STATISTICS SHOW

Every year, per the US Department of Transportation (DOT), more than 500,000 accidents involving trucks occur. Because of the weight and size of commercial trucks, many of these accidents result in serious injury or death. In fact, in the US, someone is injured or killed in an accident involving a commercial truck every 16 minutes. But statistics from the DOT also show that 75% of accidents involving commercial trucks are the fault of the driver of the passenger vehicle, so it can be difficult to prove negligence on the part of the truck driver. Fortunately, the truck's black box may hold the answers to proving that the truck driver was at fault, if in fact, it was the truck driver that was at fault.



What is in a truck's black box?

When most people hear the term "black box," they generally think of the black box that is used in airplanes in the event of a crash. What many people don't realize is that commercial trucks also have black boxes. Black boxes, or Event Data Recorders (EDR), are used to record various data about what a truck was doing before, during, and after an accident.

- Average speed
- Highest speed
- Time driven
- Time spent driving 65+ MPH
- Average engine RPM
- Seatbelt Usage
- Airbag performance
- Idling time



How can a black box help in a truck accident?

Black box recording devices are useful in determining that the information provided by the truck driver is factual. The black box data can show if the truck made a hard stop, the speed and engine RPM before the stop, and if the driving time stated on the driver's personal log is accurate. Discrepancies between recorded data and the driver's logs can help to prove if the driver was driving longer than permitted and can be used to demonstrate poor compliance with trucking regulations on the part of the driver and trucking company.



Black box data can disappear quickly

The recording capacity of a truck's black box is limited to about a month. Black boxes record data on a continuous loop, meaning that newer data constantly overwrites the older data. Therefore, truck accident victims must immediately contact an experienced truck accident attorney so that they can move quickly to preserve the evidence before it is erased and lost forever.



Additional complications of trucking accidents

Black box data can be important in proving negligence, but there are other complications in litigating truck accidents. Because trucks are so inherently dangerous due to their size and weight, regulations surrounding their operation are strict.

Commercial trucks work for commercial entities, and there are more people involved in a truck's operation than just the driver. When a truck causes an accident, there are multiple people with whom fault can lie, including the driver, the operator who owns the truck or trailer, the trucking company, the employment agency who staffed the driver, or the company who hired the trucking company, if they knowingly chose a cheaper company with a less safe record. Each of these parties may play a role in the operation of a given truck.

Depending on whether an accident was caused by driver fatigue, improper cargo loading, engine or brake malfunction, or even a defective roadway, these cases require expertise beyond the normal car crash case.

The rules and regulations of the trucking industry are different and more specialized than basic driving laws. It takes specialized knowledge to understand if and how an involved party violated any of these rules, so it's important to consult with an attorney who is experienced in truck accidents.



Compensation for trucking accidents

The strict regulations imposed on the trucking industry are necessary to preserve the safety of all motorists on the road. Truck drivers require more training than drivers of passenger vehicles and are insured with higher liability because of the potential damage their vehicles can cause. Since most jurors are also drivers, they don't tend to have much sympathy for dangerous truck drivers. Because of the severity of injury and damage that originates from trucking accidents, settlements for truck accidents tend to be larger than typical car crashes. If you are the victim of a truck accident, you may be entitled to a settlement that is based on several factors: medical bills, both current and future; lost wages and lost or reduced future earnings capacity; and present and future pain, suffering, and disability. Additionally, settlements may depend on how many defendants are involved, and the level of fault for each of them.



FREE

CONSULTATION TODAY

(816) 531-6006 • www.pottengerlaw.com

If you've been injured in a truck accident, contact The Pottenger Law Firm today at (816) 531-6006, or visit www.pottengerlaw.com for a free consultation and to make sure that the data on the involved truck's black box is preserved.