10 Common Mistakes to Avoid After a Texas Truck Accident

Why Every Decision You Make After a Texas Truck Accident Matters

When a fully loaded 18-wheeler collides with a passenger vehicle, the forces involved are closer to a building collapse than a fender bender. The truck may weigh up to 80,000 pounds, it needs far more distance to stop, and it can send smaller vehicles spinning across multiple lanes like toys. In those first few minutes of a truck accident, most people are focused on survival, not strategy, which is completely understandable.

What most drivers don’t realize is that the trucking company and its insurance carrier treat every crash as a high-risk event. They may dispatch investigators, talk to witnesses, and start shaping their defense before you even leave the scene. From that point forward, everything you say, every medical decision you make, and every document you sign can become a piece of evidence.

What Are the Most Common Mistakes After a Texas Truck Accident?

Small choices pile up, and the wrong move can mean the difference between having enough compensation to rebuild your life or being left with debts and unanswered questions. Here are the mistakes you should avoid after a truck accident in Texas.

1. Failing to Get Immediate Medical Care

One of the biggest mistakes after a Texas truck accident is trying to tough it out. Adrenaline can make you feel strangely okay even when your body is dealing with serious trauma. You may think you just need a night of rest, only to wake up unable to move your neck or struggling to focus your eyes.

When you delay treatment, there is a double cost. Medically, untreated injuries can become more complicated and harder to fix. Legally, insurance companies love to argue that if you did not seek immediate help, you must not have been badly hurt, or something else must have caused your pain. They will comb through your records looking for gaps in treatment and use them to question your credibility.

2. Not Calling 911 and Skipping the Police Report

Another common mistake is agreeing with the truck driver to “just handle it between us.” That might sound cooperative at the scene, especially if you are shaken up and just want to go home, but it can create serious problems later.

When you call 911, law enforcement officers come to the scene to stabilize traffic, coordinate medical care, and document what happened. The crash report they prepare usually includes:

- The drivers' information
- Insurance details
- Vehicle descriptions
- A narrative of the crash
- Often a diagram of positions and impact points
- Arrests or traffic violations

3. Apologizing Or Accepting Fault Too Soon

In Texas, fault is not all or nothing. The law allows each party to be assigned a percentage of responsibility, and your compensation can be reduced in proportion to your share. If you're found more than 50 percent responsible, you might not recover anything.

After a crash, it is human nature to say, "I'm sorry," even when you did nothing wrong. People apologize as a way to show concern or politeness. Insurance companies and defense lawyers do not hear it that way. They hear, "I admit this was my fault."

A better approach is to focus on safety and facts. Exchange basic information, cooperate with the officer, and describe what you observed without guessing why it happened or how fast anyone was going. If you don't know, it is perfectly acceptable to say, "I don't remember" or "I am not sure."

4. Leaving The Scene Without Preserving Evidence

Your first job after a truck accident is to survive it. No piece of evidence is worth stepping into live traffic or ignoring serious injuries. Once you are in a safe location and emergency responders are on the way, though, the scene around you holds a lot of information that will never look exactly the same again:

- Vehicle positions show directions of travel and points of impact.
- Skid marks reveal braking, swerving, or loss of control.
- Debris can indicate where the first impact occurred.
- Weather and lighting tell you what the drivers were dealing with.

5. Trusting The Trucking Company or Its Insurance Provider

When the phone rings a few days after a wreck and the caller sounds friendly, it's tempting to treat them like a helpful guide. They might say they "just need your side of the story" or that they want to "help get your car fixed quickly." What they are really doing is gathering information that can be used to minimize what they pay you.

Insurance adjusters are trained to ask open-ended questions and let you talk. They will record every word. They will also likely ask you to sign medical releases that allow them to dig through years of your health history looking for any prior injury or complaint they can point to instead of the crash. Giving them this leverage can hurt your claim.

6. Posting About the Crash on Social Media

In today's world, sharing is almost automatic. You might think posting, "Got hit by a truck, but I'm okay," helps reassure family and friends. From a legal perspective, that message can come back to haunt you. Insurance companies and defense lawyers routinely look for your social media profiles.

It's best to treat your social media like a courtroom microphone while your case is pending. If you would not want a judge, jury, or opposing lawyer to see it on a big screen, don't post it. Ask friends and family not to tag you in posts about your activities or the crash itself. If you already have posts up from before you knew better, don't rush to delete them without legal advice.

7. Waiting Too Long to Call a Truck Accident Lawyer

Many people wait to reach out to an attorney because they hope things will work themselves out with the insurance company. The problem is that injuries can worsen and evidence can disappear after a while. This gives insurance companies the ability to take advantage of your situation. Here's why:

- Some sources of information, such as electronic logging device data and certain company records, are only kept for limited periods unless someone steps in to demand preservation.
- Surveillance video from nearby businesses may be recorded over within days or weeks.
- The truck itself might be repaired and put back on the road, making it harder to analyze for defects or damage patterns.
- Witnesses can forget details as time passes, and people move away or change phone numbers. On top of all that, Texas law gives most truck accident victims two years from the date of the crash to file a personal injury lawsuit, under Tex. Civ. Prac. & Rem. Code § 16.003. That may sound like plenty of time, but the critical preservation work happens in the first days and weeks — long before any lawsuit is filed.

8. Underestimating How Complicated Truck Cases Really Are

It's easy to assume that a collision is a collision, whether it involves two cars or a semi. The reality is that commercial truck cases work more like a chain reaction. There may be multiple companies involved, each with its own insurance, policies, and role in what happened.

The driver might have made a bad decision, but the company that hired and trained them may have set unrealistic delivery schedules or looked the other way on safety violations. The trailer might belong to another company altogether, with different insurance coverage. The cargo may have been loaded by a third party whose negligence caused it to shift and make the truck unstable. A maintenance contractor might have failed to properly inspect or repair the brakes.

9. Overlooking All the Damages You Can Recover

You may see the hospital statement and the estimate to fix your car and think that is the entire loss. In reality, a serious truck accident can ripple into every corner of your life.

Economic damages can include current and future medical care, physical therapy, prescription medications, assistive equipment, and modifications to your home or vehicle if you're left with mobility limitations. They also cover lost wages and the loss of earning capacity if you can't return to your old job or career path. Non-economic damages recognize the human side of the harm. Pain and suffering, mental anguish, loss of enjoyment of life, disfigurement, and physical impairment are all real losses.

Insurance companies rarely volunteer to pay for all of this. They may dangle an early settlement that covers some current medical bills and property damage, knowing that once you sign on the dotted line, you cannot come back and ask for more if you need surgery later.

10. Ignoring Emotional and Psychological Trauma

Surviving a violent collision with a tractor trailer can leave emotional scars that are every bit as real as physical injuries. You might find yourself replaying the crash whenever you close your eyes, gripping the steering wheel so tightly your knuckles turn white, or taking the long way around town to avoid highways where big rigs roll past.

Common emotional responses include nightmares, flashbacks, anxiety, depression, irritability, and difficulty concentrating. Some people avoid driving altogether. Others find their patience at home wearing thin, straining relationships with spouses, children, and friends.

Keeping a simple journal can help. Writing down how you feel, what you struggled with that day, and what you had to give up because of pain or fear creates a day-by-day record that often speaks more powerfully than any single medical note.

Moving Forward with Support and Accountability

If you were injured in a Texas truck accident, it's normal to feel overwhelmed and unsure what to do next. You shouldn't have to learn the rules of the trucking industry, decode insurance tactics, and argue about fault while you are trying to heal.

The Herrera Law Firm helps injured people hold trucking companies and their insurance providers accountable when their choices put drivers and families at risk. We investigate what really happened, preserve and analyze evidence, and tell your story in a way that reflects the full weight of what you have lost and what you need to move forward.

If you're ready to talk about your situation, your rights, and your options, contact us for a free consultation. We can listen and help you chart a path toward recovery and accountability. We handle every truck accident case on a contingency fee basis, which means no upfront costs and no legal fees unless we win compensation for you.