

# What Should I Do If I'm Injured In An Accident With A Delivery Truck?

## *Crashes involving UPS, FedEx, Amazon and other delivery services are on the rise*

More than 1.5 million commercial truck drivers deliver billions of packages each year to customers throughout the country, according to the [U.S. Bureau of Labor Statistics](#). These figures are expected to increase by 5 percent each year until 2029, making delivery truck drivers one of the fastest growing occupations in the country.

Unfortunately, accidents caused by delivery truck drivers who work for UPS, FedEx, Amazon and other delivery service companies have also increased in recent years. So what should you do if you're injured in an accident caused by a delivery truck driver? What are your legal options? What are your rights? Below, you can find the answers to these questions and many more, provided by attorneys with extensive experience dealing with accidents caused by commercial truck drivers.

## **Dramatic increase in package deliveries**

The number of delivery truck drivers working in the United States has increased dramatically in recent years, making it the fastest growing job industry nationwide, according to [Quartz](#). That's because the number of packages being delivered in recent years has skyrocketed. In 2018, a total of 87 billion packages were delivered worldwide, an increase of 10.8 percent compared to 2017, according to [Parcel Pending](#). The number of packages delivered worldwide is expected to increase to 200 billion packages by 2025.

Judging by this year so far, delivery companies may reach that figure far sooner. The number of packages delivered to customers so far this year has increased dramatically since many people have shifted to shopping online due to coronavirus quarantines or simply choosing to shop more from home. As a result, FedEx and UPS, the two largest private delivery companies, have both recorded all-time highs this year for their stock price.

FedEx has experienced an "unprecedented demand for our residential delivery services, rivaling our peak holiday season traffic" this year so far, according to [news reports](#) in September. Specifically, daily package volume has increased by 31 percent, from 8.8 million packages delivered each day to 11.6 million each day this year.

UPS has experienced similar significant increases. In the third quarter of 2020, for example, the average daily volume of packages delivered by UPS in July, August and September increased by 13.5 percent compared to the same time period last year, according to [news reports](#) in October.

## **How common are delivery truck accidents?**

As the number of packages delivered has increased in recent years, the number of accidents involving delivery trucks has increased, as well. Truck fatalities involving trucks that weigh more

than 10,000 pounds increased by 25 percent from 2015-2018 nationwide, according to the [Centers for Disease Control and Prevention \(CDC\)](#). In particular, Texas leads the nation with the most large-truck fatalities – 137 in 2018, according to the CDC. As for specific trucking companies:

- United Parcel Service (UPS) drivers were involved in 2,003 accidents resulting in 49 fatalities and 689 injuries during a 2-year period from September 2015 - September 2017, according to the [Federal Motor Carrier Safety Administration \(FMCSA\)](#).
- Federal Express (FedEx) drivers were involved in 442 accidents, resulting in 13 fatalities and 149 injuries during a 2-year period from September 2017 - September 2019, according to the [FMCSA](#).

## What are common causes of these crashes?

Delivery truck drivers cause collisions for many different reasons. Some of the most common causes include:

- **Speeding** – Delivery truck drivers often face tight schedules. As a result, many drivers exceed the speed limit in order to meet these deadlines. That’s why speeding often plays a role in many collisions.
- **Distracted driving** – Delivery drivers often try to do many different things behind the wheel at the same time, from looking up directions to responding to dispatchers. These activities take a driver’s attention away from the road, often resulting in collisions.
- **Inexperience** – With more delivery truck drivers on the road, many don’t have the experience needed to operate a delivery truck safely on the road. As a result, lack of training is often cited as a common cause of collisions.
- **Poor vehicle maintenance** – Trucking companies need to properly maintain their fleet of trucks. This includes checking the brakes, tires and other critical pieces of equipment that could fail and result in a serious crash.
- **Fatigue** – Falling asleep at the wheel can sometimes be a factor when it comes to crashes involving delivery truck drivers. That’s because many drivers work long hours, especially during the holiday season in November and December.

Whatever the cause of your crash, it’s critical that you take action right away to protect your rights and your health and safety.

## What should I do after my crash?

Every crash has its own unique circumstances. That's why the advice below could be different depending on what happened to you. However, if you have been involved in a collision caused by a delivery truck driver, you should consider taking the following steps:

- Call the police immediately and tell them you have been involved in an accident.
- Ask the police to respond to your collision.
- Ask the police to send an ambulance in response to your crash.
- If an ambulance has not been called, make sure to seek medical treatment as soon as possible. You could have a life-threatening injury.
- At the crash site, if you are healthy enough to do so, get the delivery truck driver's name, insurance information and contact information for the delivery company the driver works for.
- Do not discuss the incident with the delivery truck driver. Anything you say could be used later to reduce or deny your claim.
- If you can safely do so, take pictures of the crash site.
- If anyone saw what happened, talk to the witness and get their full name and contact number so investigators can talk to them later.
- Call your insurance company and tell them you have been in a crash caused by a delivery truck driver.
- If the delivery company or its insurance company contacts you, do not talk to them. Anything you say could be used to deny your claim.
- If the delivery company or its insurance company makes a settlement offer, make sure you carefully review their offer before deciding to accept it. Once you accept such an offer, you often forfeit your right to request any additional money, even if your injury-related expenses dramatically increase in the future.
- Contact a lawyer as soon as possible. An experienced attorney can answer your questions, explain your options and help you decide the best strategy for dealing with your collision.

### **Who decides how much my accident is worth?**

In most cases, the delivery truck company or its insurance provider will likely try to dictate the value of your accident claim. They might even contact you right away after your crash and make an offer to settle your case.

While it might be tempting to accept such an offer, these offers often do not cover all your injury-related expenses. Instead, they often only take into account short-term expenses immediately after your collision.

If you agree to accept such an offer, you will likely forfeit your right to request additional money for additional expenses in the future. Depending on the circumstances of your injury, future expenses can be significant. That's why it's critical that you carefully consider any offer before agreeing to accept it.

### **Can I turn down a low settlement offer?**

You have the right to turn down a settlement offer if you believe it does not accurately reflect the true cost of your injury-related expenses. The delivery company or its insurance provider might insist that their offer represents the maximum amount they can offer you. However, in many cases, they may be willing to offer additional money.

If you believe your settlement offer is too low, talking with an attorney familiar with these cases may help you decide whether you should accept such an offer or turn it down. These decisions can be very complicated. That's why many people choose to consult with a lawyer before making such an important decision.

### **What are my options if I turn down a settlement offer?**

If you decide to not accept a lowball settlement offer, you often have several options available to you. These include:

- Asking for more money from the delivery company or its insurance provider
- Having your attorney negotiate a better settlement offer on your behalf
- Filing a lawsuit against the delivery company or its insurance provider seeking additional compensation

In Texas, you have two years from the date of your accident to file a lawsuit seeking damages (financial compensation) for your injury-related expenses. This deadline is known as the statute of limitations. If you miss that deadline, you could miss out on your only opportunity to obtain the financial compensation you need and deserve.

To learn more about the legal options available to you after a crash, [contact](#) our Houston law firm. An experienced attorney at Smith & Hassler can review the details of your case and explain what strategies make the most sense based on your specific circumstances. Schedule your [free case evaluation](#) today.