

Top 10 Myths About Car Accidents in Texas

Houston lawyers who can guide you through the legal process

People are hurt in [car accidents](#) every day in Texas. They need medical treatment and aren't able to work. They are suddenly faced with medical expenses and aren't sure how they are going to pay them. The aftermath of a crash can be confusing and frustrating. Many people aren't sure what to do next.

There are some myths about what happens after a crash that can make things even more complicated. That's why it is a good idea to talk to an experienced car accident lawyer to get the facts about your case and learn your legal options.

Here are some common myths about car accidents:

1. Auto insurance will pay for everything.

If you're hurt in a crash caused by another driver, you may assume that their insurance company will pay for all of your losses. But it rarely works that way. Insurance companies want to make money, and the best way to keep their profits high is by keeping payouts low.

There are many tactics insurance companies use to minimize compensation. They may question the seriousness of your injuries or argue they were pre-existing. Another tactic is to make a lowball settlement offer that doesn't even come close to covering the cost of your damages (accident-related expenses). The goal is the same – to pay you as little as possible.

2. Every driver has insurance.

Drivers are required to carry car insurance in Texas, but that doesn't mean every driver is insured. These drivers may have not kept up on their payments or have a suspended license. If an uninsured driver causes an accident that leaves you injured, your options for compensation are limited. This is why it's recommended to carry UM/UIM coverage on your own insurance policy, in case you are in a crash caused by an uninsured or underinsured motorist.

3. There's no need to get police involved.

If the crash you were involved in seems minor, it may feel pointless to call the police and wait for them to show up to process everything. But police can help secure the scene to ensure everyone's safety. They can also conduct an initial investigation and issue an accident report. This report can provide valuable information about who was responsible for what happened.

4. There's no need to see a doctor if I feel OK.

You've been in an accident, but luckily you don't seem to be hurt that bad. Seeing a doctor may seem unnecessary. But there are several reasons why you should see one anyway. Some injuries, such as concussions, may not have any symptoms at first but can get worse if left untreated. A doctor knows what to look for and can treat the injuries you do have. Also, a

doctor will document your injuries. Seeking prompt medical attention serves as proof that you were hurt when you file a claim and makes it harder for the insurance company to question the severity of your injury.

5. You are required to answer the other driver's insurance company questions.

Soon after an accident, you may be contacted by an adjuster from the other driver's insurance company. You may be asked to simply answer a few questions about what happened or make a brief recorded statement. It sounds harmless enough, but remember, the insurance company is not on your side. They will try to get you to say something that can be used against you to limit your financial compensation. It's best to politely decline their request and explain that you need to speak to an attorney first.

You do have to cooperate with *your* insurance company to some extent, but even then, you need to watch what you say. Answer their questions as succinctly as possible and don't volunteer any information.

6. If the accident was partially my fault, I can't recover damages.

It's true that more than one party can be at fault in an accident. But that doesn't mean you won't be able to recover compensation. Texas uses a modified comparative negligence system when determining damages after a car accident. If your percentage of fault was found to be less than 51%, you are still able to recover financial compensation. But your damages will be reduced proportionately by your percentage of fault. For instance, if you were awarded \$100,000 in damages but were found to be 40% at fault, you would only be able to recover \$60,000.

7. You can't ask the insurance company for more money.

There's been a car accident and you filed a claim with the other driver's insurance company. The claims adjuster gets back to you with a settlement offer. They may say it's the best they can do but are promising quick payment. It seems like you should be getting more. But can you really ask for more money? Yes, you can. But to get the insurance company to pay you more, you need to build a strong case built on facts that demonstrates the true cost of your accident.

8. You don't need a lawyer.

There's no law that requires you to have a lawyer when dealing with an insurance company. But it is generally in your best interest to at least talk to an attorney about your legal rights and options. A car accident lawyer will be familiar with insurance company tactics designed to pay you less and know how to respond. A lawyer will also have the resources to investigate your crash to build a strong and compelling case for more money. Lastly, an attorney can handle all negotiations with the insurance company and if needed, take your case to court.

You can be sure of one thing – the insurance company has lawyers. You need to level the playing field.

9. You can't afford a lawyer.

You're convinced an attorney can help you but you're worried about the cost. Medical expenses from your injuries are adding up and you may not be able to work. The last thing you need is another bill right now. But most car accident lawyers work on a contingency fee basis. That means their legal fee comes out of the compensation that they recover for you. In other words, if you don't get paid, we don't either.

10. It's too late to file a claim for damages.

You may have suffered minor injuries in an accident that get worse as weeks go by. But it's not too late to seek compensation. In Texas, the statute of limitations for taking legal action after a car accident is generally two years from the date of the crash. That sounds like plenty of time, but it's best to get started on your claim as soon as possible.

The only other time it's really "too late" is after you've accepted a settlement from the insurance company. Once you've taken their money, that's it; you generally can't go back for more. That's why it's so critical that you speak with an attorney before you sign anything or accept an offer from an insurance company.

If you were hurt in a Houston car accident, [Smith & Hassler, Attorneys at Law](#) can help. We can review the details of your accident, explain your legal options and answer any questions you have. If we do represent you, there is no cost unless we recover monetary compensation on your behalf. [Contact us](#) today to schedule a free consultation at one of our office locations.